Catholic Reform in the Age of Luther

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Catholic Reform in the Age of Luther

Duke George of Saxony and the Church, 1488–1525

By

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Preface to the English Edition

This is the English edition of my Leipzig PhD thesis originally published with Mohr Siebeck in 2008. In a lucky moment, the book came across Andrew Gow in Edmonton, Canada, who suggested an English translation and offered to publish it in his series *Studies in Medieval and Reformation Traditions* with Brill. I am very grateful for this chance to contribute to English-speaking research, to which I feel indebted since a term spent at the St Andrews Reformation Studies Institute in 1999 to 2000.

When the study won the award *Geisteswissenschaften International* in 2012, funds became available for financing a translation. Progress has been slowed down by a change of translator, since Dr. Brian McNeil, who had taken on the project, was unfortunately unable to complete it.

My thanks go to both translators, Brian McNeil and Bill Ray, to Ivo Romein and Arjan van Dijk, editors at Brill, to my Canadian copy-editor Monica Mcfadzean and most especially to Professor Andrew Gow for initiating and supporting the project right from the start. Professor Andrew Pettegree deserves credit for suggesting the English title. The translation funding *Geisteswissenschaften International* is a joint initiative of the Fritz Thyssen Foundation, the German Federal Foreign Office, the Verwertungsgesellschaft Wort and the German Publishers & Booksellers Association. I am very grateful for their support.

As this is an unabridged translation of a book published in 2008, recent literature could not be added but for a few exceptions.

I dedicate the English version to my wonderful sons, Johannes and Martin.

Christoph Volkmar
Magdeburg, on St. John's Day 2017

Preface to the German Edition

This study was completed in April 2006 and was accepted as a PhD thesis by the Faculty for History, the Study of Art, and Oriental Sciences at the University of Leipzig in the winter semester of 2006 to 2007. Slight alterations have been made in the published version.

For support and accompaniment in all the phases of my work, I am deeply grateful above all to my teachers in Leipzig, Professor Enno Bünz and Professor Manfred Rudersdorf. Their interaction is reflected in the conceptual orientation of this study between Reformation history and regional history, medieval studies and research into the Early Modern period. As my doctoral adviser and supervisor, Enno Bünz gave me the greatest freedom imaginable, while at the same time always remaining an accessible dialogue partner with his critical advice, his stupendous knowledge, and his personal cordiality.

Numerous persons and institutions have given my project both non-material and financial support. I wish in particular to thank Professor Anton Schindling (Tübingen) and Professor Andrew Pettegree (St Andrews) for their critical accompaniment, and Professor Werner Freitag (Münster) for writing the third evaluation for the doctorate. I am grateful to the German National Academic Foundation for giving me a place in its doctoral program, and to the Horst Springer Foundation for the Modern History of Saxony for a very generous contribution to my traveling costs. The German Historical Institute in Rome under Professor Michael Matheus gave me a doctoral grant for a period of research in the Vatican Archive, where Dr. Thomas Bardelle, Dr. Thomas Ludwig, and Dr. Andreas Rehberg helped me to clear a number of hurdles.

All the archives and libraries I visited have given me helpful support. I should like to single out the help I received in the special collections of the University Library in Leipzig and the Hauptstaatsarchiv in Dresden, where Mrs. Gisela Petrasch, Mrs. Christine Weisbach, Dr. Eckart Leisering, and Dr. Peter Wiegand answered all my queries and gave me good advice.

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The inclusion of this work in the series *Spätmittelalter, Humanismus, Reformation* (previously entitled *Spätmittelalter und Reformation, Neue Reihe*)

is a great honor for me. I am very grateful to the editor-in-chief, Professor Berndt Hamm (Erlangen), as well as to Professor Jürgen Miethke (Heidelberg) for his constructive evaluation. I wish to praise the publisher, Mohr Siebeck, and in particular Dr. Henning Ziebritzki and Mr. Matthias Spitzner, for their uncomplicated collaboration. The publication of this book was made possible by a generous grant from the Support and Aid Foundation for Science of the Verwertungsgesellschaft Wort.

This book is dedicated to the people who mean everything to me: my parents and my beloved wife!

Christoph Volkmar
Giessen, on Reformation Day 2007

Introduction

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CHAPTER 1

A Critical Survey of Scholarship

> May God help his church through the laity,
> since the clergy, whose task it more properly is,
> have become completely negligent.
>
> MARTIN LUTHER[1]

From the epics of prehistory down to the volumes of Gebhardt's *Handbook of German History*, knowledge about the past is presented in narrative structures. This is why, irrespective of their contents, presentations of history have a dynamic of their own generated by the act of narrating. The historian's virtues include stringency. If the chaotic multiplicity of the *res gestae* is to be brought together into one history, streamlining in the form of theses and linear narrative structure is required. Another sign of quality in a historiographical reduction is the clear definition of the roles played by historical figures. Finally, intelligent explanations of complex developments are a basic requirement of all writing of history.[2]

The price to be paid for stringency is blank spaces and blind spots, and sometimes the reduction actually leads to distortions and errors. It is therefore the task of, and the opportunity for researchers to evade the constraints of master narratives and to turn aside from the high roads in order to break through established perspectives to follow the sideroads that disclose new angles on phenomena that are allegedly well known.

The present study challenges three narrative traditions of Reformation history. First, it inquires into the role of the princes in the Reformation. Secondly, it looks for the link (apparently lost) between late medieval church reform

1 Martin Luther, *An den christlichen Adel deutscher Nation von des christlichen Standes Besserung* (1520), in: WA, Vol. 6, 404–469, at 404.

2 I refrain here from entering into the details of the scholarly discussion of the history of historiography because this would lead away from the core of my argument. Jan Assmann's study is the most stimulating synthesis written on this topic in recent years. See Assmann, and esp. 87–129.

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and the Catholic renewal in the Council of Trent. Thirdly, it endeavors to look afresh at a Saxon prince in the early Reformation period, Duke George of Saxony (1471–1539), who is well known as Martin Luther's most important adversary among the imperial estates.

The present study, therefore, has two goals. First, it investigates the influence that secular princes exercised on the church in their territories before the Reformation—specifically, in its Saxon homelands. Secondly, it seeks to show how one prince, the Albertine Duke George, brought this influence to bear, not in favor of, but against the Reformation. It analyzes church governance by the territorial ruler *against* the Reformation; that is to say, the attempts to suppress the Evangelical movement with the instruments of power that were available to the territorial state. In this context, it follows Duke George's independent endeavors to promote Catholic reform as an alternative to Luther's Reformation.

There is a close chronological and substantial relationship between the two principal parts of this study. The examination of the late Middle Ages in the first part serves to reconstruct the method of church government enforced by German princes before the Reformation. In the second part, the potential of this form of government is put to the test by the ultimate crisis; namely, the clash between Duke George and Luther. This study sheds light from a new perspective on the time and place in which the Reformation ascended to historical significance.

1 Princes and the Reformation

Generations of Protestant historians have conjured up the community of fate that united the German territorial state and the Reformation, and have viewed the alliance between "throne and altar" as a constitutive element of German civilization up until 1918.[3] The princes' role in the Reformation seemed unambiguously defined. "It was very obviously in the interests of the territorial state to promote the Reformation": explains Karlheinz Blaschke in a recently republished essay, summing up a point of view that has particularly left its mark on the historiography of the Saxon Reformation.[4] Even outside Saxony, the canon of historical knowledge has long included the principle that the German princes played a central role as protagonists of the Reformation. Generalized conclusions about the princes as a whole have been drawn from

3 See Schulze, *Fürsten*, 1–3; Nowak, 205–219.

4 Blaschke, "Wechselwirkungen," 441.

attempts to explain the commitment of princes such as Philipp of Hessen and Johann the Constant. Due to the use of the term "princely Reformation," this observation has been elevated to the distinguishing mark of an epoch or—contradicting the description of the Reformation as an "urban event"[5]—a typological category.[6] Ernst Schubert recently affirmed the abiding significance of this research approach: "The history of the German Reformation is unthinkable without the princes."[7]

One such widespread assumption about the structural impact made by the Reformation is linked to the role of the princes. This thesis claims that one of Luther's most innovative achievements was the enforcement of religious renewal against the will of the papal church by ensuring he had the support of the secular princes. The dominant influence of the territorial state on the new Protestant churches may be summed up as "church government by territorial lord" (*Landesherrliches Kirchenregiment*). Luther's celebrated *Letter to the Christian Nobility of the German Nation* (1520) and his preface to the *Instructions to the Visitors* (1528) are seen as programmatic in this context. By declaring the princes to be emergency bishops, the Reformers gave the territorial rulers a new authority, thereby not only employing power politics to ensure the reshaping of the church, but also giving religious legitimacy to this reshaping. It is argued that part of the secret of the Reformers' success was the alliance they sought with the most agile secular power of their age, the ascending Early Modern territorial state.[8]

There can be no question that the territorial church order of the Reformation, which ultimately made the secular lord the head of the church in his territory, broke the medieval mold, since the summepiscopate of the territorial ruler included an authority to make decisions in the fields of ecclesiology and dogma that the late medieval princes had never sought.[9] If one frees oneself from the tunnel vision with which generations of church historians have reconstructed

5 This is the well-known expression of Arthur Geoffrey Dickens, quoted in the epoch study of the urban Reformation by Bernd Moeller. See Moeller, *Reichsstadt und Reformation*, 71. For an introduction to this broad field of research, see Hamm, *Bürgertum*; Greyerz, "Stadt und Reformation"; important case studies are Brady, *Ruling Class*; Rublack.

6 See Oberman, "Stadtreformation und Fürstenreformation"; Wolgast, "Formen"; for recent critical evaluations of the concept of the princely Reformation, see Dixon, "Princely Reformation"; Schubert, "Fürstenreformation"; Winterhager, "Fürstenreformation."

7 Schubert, "Fürstenreformation." 24.

8 On this tradition of interpretation, see Bubenheimer; Krumwiede, *Entstehung*; id., "Kirchenregiment"; Blaschke, "Wechselwirkungen."

9 On the typology of the late medieval and the Protestant church government, see Wolgast, *Territorialfürsten.*

the history of the Reformation (following, above all, the writings of Martin Luther), it soon becomes clear that it was not in the least unheard of for those who held power to actively intervene in regard to ecclesial renewal. When we look at this in the context of the late Middle Ages, the epoch-making innovation suddenly turns out to have been built upon long-established traditions.[10] Martin Luther knew this from his own experience, as he had been confronted, while a friar in Erfurt, with the partisan involvement of Friedrich the Wise in the controversy concerning the union of the Augustinian Hermits. Moreover, from the very outset, it was a secular prince—namely, Elector Friedrich—who protected the Wittenberg professor from the mills of the papal jurisdiction against heretics.[11] Luther's appeal to the reforming power of the secular authority—from the theoretical borrowing from the two-powers theory down to the practical dependence on territorial lords—was not in fact a brilliant innovation; rather, it was an imitation of a standard strategy of church reform used in the fifteenth century.[12] Luther's achievement lay much more in his harnessing of the circumstances of his period for the purpose of realizing his new theological ideas.

Due to the longevity of some textbook narratives, late medieval realities have often been overlooked by historians of the Reformation. As late as 1990, the year in which he wrote his Habilitation thesis, the Protestant church historian Manfred Schulze found it necessary to remind his readers that the role of territorial sovereigns in church governance was a presupposition, not a consequence, of the Reformation.[13] But apart from specialized monographs, it seems that this insight is only slowly gaining ground in historical consciousness. It is indeed true that the news of the existence of a pre-Reformation secular church governance (*Kirchenregiment*) has reached some new manuals and overviews,[14] but one will still look in vain for this term in central works of reference such as the *Lexikon des Mittelalters* and the *Theologische Realenzyklopädie*.[15]

Our knowledge of the precise character and extent of this secular church governance before the Reformation remains rather vague. We have no recent studies of the system; in particular, there are no attempts to trace this

10 See Bünz and Volkmar, "Kirchenregiment"; Schulze, *Fürsten,* 6–12.

11 See Brecht, Vol. 1, 103–110; Kirn, 130–160; Schulze, *Fürsten,* 8 n. 15.

12 See Bünz and Volkmar, "Kirchenregiment"; see also p. 38–41, below.

13 See Schulze, *Fürsten,* 7–12.

14 See Reinhard, *Probleme*; Boockmann and Dormeier, 240–246; Dixon, *Germany*; with a critical distance, Schubert, *Fürstliche Herrschaft,* 38–41.

15 On the content of the article "Landesherrliches Kirchenregiment" in the *TRE,* see p. 37, below.

development into the Reformation period, either in regard to Reformation princes or their Catholic adversaries.

The traditional restricted view of the theme of "the princes and the Reformation" proves to be a hindrance here as well, because it too easily allows us to forget that for many years Luther's sympathizers among the imperial princes remained a minority.[16] Up until now, scholars have rarely studied the Catholic majority, and this is particularly true in the case of the territories that later became Protestant. Walter Ziegler demanded as early as 1990 that one should pay closer attention to the conflict between Catholic princes and the early Reformation, thereby giving a place in the history of the Reformation to the territorial rulers who had made up the strongest group in the college of princes until the 1540s;[17] however, there has scarcely been any response to Ziegler's appeal.

This fact is symptomatic because the early Reformation period has been overshadowed in the recent development of research.[18] Current debates have concentrated on the later decades, whether in fruitful controversies about the new paradigm of confessionalization[19] or regarding questions of cultural transformation that have been discussed, above all, by English American scholars.[20] This may also be a reflection of tendencies, particularly among English language historians, to view the Lutheran Reformation in the context of old Europe as a "late medieval event."[21] This means that the classical view of the Reformation as marking the breakthrough from what Jan Huizinga called

16 See Ziegler, "Territorium und Reformation II," 54–59; Wolgast, "Territorialfürsten." For further sketches of the first generation princes of the Reformation period, see Scheible, "Fürsten"; Wolter, "Laienfürsten."

17 See Ziegler, "Territorium und Reformation II," 58f.—The collection of essays with the same title, initiated by Anton Schindling and Walter Ziegler, offers a useful overview of the development of individual territories in the Empire: see Schindling and Ziegler.

18 On this, see also Kohnle, *Reichstag,* 17f.

19 With its starting point in Ernst Walter Zeeden's concept of the "formation of a confession (*Konfessionsbildung*)," the paradigm of confessionalization was given its definitive elaboration by Heinz Schilling and Wolfgang Reinhard. For the broad debate in recent years, see the exemplary studies by Schilling, "Konfessionalisierung"; Reinhard, "Zwang zur Konfessionalisierung"; Schindling, "Grenzen"; Ziegler, "Konfessionalisierungsthese," and the other essays in the volume edited by Reinhard and Schilling, *Reformierte Konfessionalisierung*; with regard to central Germany: Freitag, "Konfliktfelder."

20 See Karant-Nunn, *Reformation of Ritual*; Koslofsky; on the reception by German scholarship, see the essays in the volume edited by Jussen and Koslofsky.

21 Brady, "Einführung," IX. The *Handbook of European History, 1400–1600. Late Middle Ages, Reinaissance and Reformation,* edited by Thomas A. Brady, Heiko A. Oberman, and James D. Tracy, is also a programmatic in character. The definition of the period between 1400

"the autumn of the Middle Ages" to the new beginning of the modern period finds few adherents today.[22] It almost seems as if Reformation scholarship, traditionally oriented to the modern period, tacitly conforms to this development by withdrawing to the safe terrain of confessionalization, and thus chronologically to the period after the Religious Peace of Augsburg.[23]

An investigation of church governance by territorial lords draws two consequences from this state of research. On the one hand, the period under investigation must be chosen in such a way that the imaginary epochal boundary between the late Middle Ages and the Reformation does not get in the way. Precisely because the previous studies of the late medieval church politics of imperial princes usually end before the Reformation, it is methodologically necessary to include the early Reformation in the investigation in order to grasp the possibilities of church governance in the context of the existential crisis of the church.[24] On the other hand, it must be recognized that the Reformation princes had no monopoly on active church politics. We must therefore discuss anew the old question of a link between the form taken by pre-Reformation church governance and an affinity on the part of the princes for the Reformation.[25]

This means that we have to reconsider central narratives of Reformation historiography. It is necessary to place the Reformation in its historical context in order to counter the alleged "firsts" of the Reformation. Those assumptions were often enough born only of the ignorance of Reformation historiography with regard to the late medieval world, and can ultimately be understood as a long-term product of the apologetic arguments that were employed by the Reformers themselves.[26] Recent scholarship has recognized that many a

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and 1600 as an epoch has often been institutionalized in academic milieus in Great Britain and the USA today.

22 See, e.g., Boockmann and Dormeier, 246f.; Wolgast, "Territorialfürsten," 409. The most recent plea in favor of the thesis of crisis is almost an isolated voice: see Wilhelm Ernst Winterhager, "Ablaßkritik."

23 One of the few counter examples in recent years is the volume edited by Buckwalter and Moeller with the programmatic title: *Die frühe Reformation in Deutschland als Umbruch.*

24 This position was also taken implicitly by Manfred Schulze when he announced that he would continue his investigation into the Reformation period in a second volume, which was never published. See Schulze, *Fürsten,* III.—For an overview of the scholarly literature, see ch. 3, below.

25 See, e.g., Priebatsch, Vol. 20, 364f.; Wolgast, "Territorialfürsten," 410; Schubert, *Fürstliche Herrschaft,* 41; Ziegler, "Territorium und Reformation I," 170.

26 Hartmut Boockmann is an influential representative of a new way of looking at the fifteenth century and the pre-Reformation that is opposed to Reformation historiography's

supposed innovation was the more or less unbroken further development of things that began in the late Middle Ages, for example, in locating the media event of Luther in the development of the pre-Reformation public sphere,[27] or in the specific sphere of the history of piety, where it has been shown that the Reformers built directly on developments in pre-Reformation theology, catechesis, and preaching around the year 1500.[28]

Naturally, this cannot mean employing historiographical subtleties in order to relativize the importance of the Reformation. Rather, in the words of Berndt Hamm, we must endeavor to overcome the "wearisome rivalry between the concepts of a 'continuous transformation' and a 'revolutionary upheaval'," in order to do justice, by means of a differentiated approach to the complexities of a historical situation in which processes of persistence, reshaping, and sudden climate change work against each other, alongside each other, and with each other.[29] It goes without saying that an approach of this kind certainly ought not to renounce the requirement of a precise elucidation and explanation of the individual process and subprocesses involved.

It is in this sense that an investigation of the church politics of Catholic princes before and during the Reformation should be understood as a contribution to Reformation history. It can serve as a corrective that counteracts the overloading of the Reformation as a primal event of the Modern period that has no presuppositions, and is therefore inexplicable. It can help to break the magic spell cast by the myth of the "pivot around which the entire Modern period turns."[30] The Catholic territories ought surely to be of interest for a modern, ecumenical history of the Reformation, not least because they represent in many ways contemporary alternatives, and hence demonstrate the tension-filled contingency of an open historical situation. This is especially true of secular territories, such as Brandenburg, Bavaria, and Albertine Saxony, whose princes adopted active anti-Reformation positions. Some of them formulated a "positive" alternative to the Reformation by combining resistance to the Reformation with support of Catholic reform.[31] From this perspective, the investigation of the Catholic territories and their princes during the Reformation

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traditional perspective of the "autumn of the Middle Ages." See Boockmann, "15. Jahrhundert"; id., "Kirche und Frömmigkeit"; on the most recent debates, see Hamm, "Wie innovativ"; id., "Medienereignis," 160–166.

27 See the bibliography on XXX, n. 2.

28 See Oberman, *Werden und Wertung*; Hamm, *Frömmigkeitstheologie*; Signori; Thayer.

29 See Hamm, "Wie innovativ," at 497.

30 Heide Wunder, quoted by Hamm, "Wie innovativ," 497.

31 See ch. 3.

promises interesting results in relation to the paths and character both of the transition from the late Middle Ages to the Early Modern Period and of its primal event, the Lutheran Reformation.

2 A Third Way between the Reformation and Trent?

Good historiography not only orders the past chronologically, but also presents development. In textbooks of the Reformation, this is usually achieved by including a prelude of late medieval reform endeavors[32] followed by the primary drama of the Reformation, with the Counter-Reformation presented as a counterpart. The latter has come to be referred to by Jedin's term "Catholic Reform and Counter-Reformation" or, more recently, as "Catholic confessionalization" but, no matter what name it is given, the history of events always culminates in the Council of Trent (1545–1563).[33]

The advantage of this presentation is that its chronology already presents the reader with a leitmotiv of the period; namely, the struggle of various reform forces to renew the church and society. But the simplicity of this scheme fails to do justice to the territories that remained Catholic and to the outcome of the reform endeavors, which (as recent textbooks show)[34] do not really find their proper place in the narrative thread. What became of the first attempts of reform in the late Middle Ages? Did they lead to the Reformation, or did it supersede them and make them obsolete? Did the protagonists of late medieval reform embrace the Reformation, or did they freeze when confronted by its rigor? Furthermore, what was the relationship between the Tridentine renewal and medieval reform? Does Trent represent a new beginning without genuine antecedents, or do the continuities not matter?

The master narrative of the Reformation was shaped by Protestantism before it was taken over by Catholic church historians. Irrespective of whether they present Luther as a heretic who split the church and the empire or, from

32 On this, see p. 38–41 and ch. 3.

33 On the formation of these concepts, see Jedin, *Katholische Reform*; Zeeden, "Periodisierung."—On the controversial debate about Catholic confessionalization, see Zeeden, *Konfessionsbildung*; Schilling, *Konfessionalisierung*; Reinhard, "Katholische Konfessionalisierung"; Schindling, "Grenzen"; Ziegler, "Altgläubige Territorien"; id., "Konfessionalisierungsthese." On the Council of Trent, see Jedin, *Trient.*

34 See most recently Reinhard, *Probleme.* A typical mode of presentation is the brief "look back" at the Catholic attempts at reform in the early sixteenth century as an introduction to the description of Catholic renewal after 1555: See, e.g., Rabe, 514–516.

an ecumenical perspective, as a reformer who admonished the church to set out on a new path, they regard the Reformation as an essential impetus that gave new life to Catholic reform.[35] This is why narratives such as Hubert Jedin's magisterial *History of the Council of Trent* always begin with a certain time lag, and usually concentrate on the developments in the curia. We are often told, in an accusatory tone, that Rome was slow to become aware of the gravity of the situation. The work of the reform commission set up by Pope Paul III in 1534 is mentioned as a milestone, since its members included leading curial reformers such as Gasparo Contarini, Reginald Pole, and Jacopo Sadoleto. But the real breakthrough is usually linked to the long-desired Council. As is well known, its convocation was delayed by the prolonged conflict between the Habsburgs and France; it was not summoned until 1545.[36]

Not only does the Council of Trent occupy the central position in many accounts, it is often defined as the absolute beginning of Catholic reform.[37] Although the importance of its reform program for the church in the Modern Period is beyond question (despite our knowledge of the difficulties entailed in its implementation),[38] it is nevertheless striking to see the extent to which the Council has been portrayed as a primal event. Apparently Luther's Reformation called for a Catholic impulse of similar intensity. Continuity between church reform of the fifteenth century and the decrees of Trent is, indeed, often postulated, but supporting evidence is seldom presented; rather, scholarly interest has concentrated on the post-Tridentine period, an interest that has recently been strengthened by the controversies surrounding the paradigm of confessionalization.[39] The early Reformation period therefore appears blank, as far as Catholic reform is concerned. This is true whether one consults recent accounts by church historians or by secular historians.[40]

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35 The metaphors employed in the relevant passage by Hubert Jedin remain impressive: "As yet, the buds had not appeared; as yet, the Catholic reform was not strong enough to conquer the papacy and the church. Then came the catastrophe. It was only the schism that cleared the ground for the Tridentine renewal of the church" (Jedin, *Trient,* Vol. 1, 23).

36 See, e.g., Jedin, *Trient,* Vol. 1; Iserloh/Glazik/Jedin, 449–683.

37 See, e.g., Hsia, 10–25.

38 Forster is a good example.

39 On this line of interpretation in scholarship, see, e.g., Jedin, *Aufsätze*; Schroer, with Vol. 1, 1–36 as a programmatic text; Ganzer. For a typical perspective, see the contributions to the symposium on "Catholic Reform" at the Campo Santo Teutonico in Rome in 1988. See *Katholische Reform.*

40 See Iserloh/Glazk/Jedin; Bireley; Hsia. From the perspective of general German history, see most recently Reinhard, *Probleme.*

But was there in fact an interruption of Catholic reform between the Councils of the fifteenth century and Trent? Was the Reformation the only solution to the need for reform for a certain period in of time? Many believe so, but their position can be contradicted by our current knowledge of the Reformation. It is now the consensus that Luther did not emerge as a solitary prophet; rather, his success was due to the massive public interest in reform, on which he based his theses.[41] Church reform was a virulent topic in the Empire at the time of the early Reformation, and names such as Johann Eck, Johannes Cochlaeus, and even Erasmus of Rotterdam remind us that it remained virulent even when Luther's ideas were rejected.

This suggests that the limited attention that scholars have paid to Catholic reform in the years of the early Reformation[42] is not only a question of historiographical emphasis; it seems, at least in the works of some Catholic church historians, to also be the result of preferences with regard to content. It is not only time that separates late medieval and Tridentine reform; both can be taken prototypically as antagonistic conceptions. The guiding principle of Tridentine reform is renewal directed by the pope, representing both the victory of popes over conciliarism and a political decision against other structural elements of late medieval reform, particularly against the influence of the princes, who had attempted to suppress the bishops' rights to exercise superintendence.[43]

Catholic historiography has always welcomed this conceptual orientation of the Council of Trent, emphasizing that it was only the popes' commitment to reform that made reform possible.[44] The immensely influential Hubert Jedin expressed grave doubts about whether the late medieval reform endeavors

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41 See, e.g., Wolgast, "Territorialfürsten," 411–415; Boockmann/Dormeier, 247; Wohlfeil, "Wormser Reichstag," 89.

42 Obviously, Catholic church historians have also published on various aspects of the early Reformation period, but their studies generally concentrate on the clash with Luther, that is to say, on the resistance to the Reformation, and they tend to attach considerable importance to the theological debates between the Reformers and Catholic theologians, while scarcely any attention is paid to the church politics of secular territorial rulers. See, e.g., Iserloh, *Theologen*; id., *Eck*; Smolinsky, *Alveldt und Emser*; for bibliography, see Klaiber.—Despite everything, one of the accounts of incipient reforms in the early sixteenth century remains Jedin, *Trient,* Vol. 1, esp. 111–132. Among recent scholarship, see Bäumer; Smolinsky, "Reformationsgeschichte"; id., "Oberrhein"; Brockmann; concentrating on the Fifth Lateran Council: Minnich, *Catholic Reformation.* For the most important editions of sources, see Pfeilschifter; Friedensburg, "Briefwechsel."

43 See ch. 3.

44 This perspective, which found its classical representative in Hubert Jedin, was reaffirmed by Konrad Repgen in 1988 at a symposium on the Catholic reform. See Repgen, *Reform.*

offered any viable points of contact; he found the role of the princes especially questionable. He regarded the "lay element" as the veritable keynote of church reform during the pre-Reformation period.[45] This was a defect, and ultimately a sign of weakness, because every work of reform that was not directed by the papacy inevitably remained fragmentary.[46] One factor in Jedin's negative assessment was certainly the old thesis that the German princes who were oriented toward reform paved the way for the Reformation. Accordingly, he sees reform by territorial rulers as "perhaps well-meant, but highly questionable disciplinary actions, because they made ecclesial life far too narrowly dependent on the state [...] and laid the groundwork for the future church governance among the Protestants."[47]

The scanty interest at the beginning of Catholic reform in the early Reformation period, especially in the church politics of German territories, can be seen here as the result of a historical prejudgment that, not content with dismissing their chances of success, regarded these reforms as ecclesiologically dubious. It is not the task of this monograph to criticize the general concepts of Catholic church historiography;[48] nevertheless, it can be stated that neither the euphoria of the Reformation public sphere surrounding Luther nor the *de facto* victory of the papacy at the Council of Trent should prevent the historian from investigating contemporary alternatives.

We find several points of departure in the work of a Leipzig school of historians that is virtually forgotten today. In his *Geschichte der katholischen Reformation*, published as long ago as 1880, Wilhelm Maurenbrecher sought to trace the lines of continuity in Catholic reform between conciliarism and Trent. He ascribed an important role to the secular princes as bearers of this tradition, and pointed out that the Catholic reform endeavors had not ceased even in the stormy years of the early Reformation.[49] His pupils, Felician Gess and Otto R. Redlich, supported Maurenbrecher's thesis through their monographs and editions.[50]

It is scarcely possible to exaggerate the importance of further research on Catholic reform before and during the Reformation—specifically, the church

45 Quoted from Jendorff, 21.

46 See Jedin, *Trient,* Vol. 1, 3–132, esp. 122f., 131f.

47 Jedin, *Trient,* Vol. 1, 122f.

48 For a summary of recent criticism and debates among Catholic church historians, especially on the allegiance to Catholic ecclesiology, see Jendorff, 5–11.

49 See Maurenbrecher, 97–99, 156–249. A planned second volume, on the period after 1534, did not appear.

50 See ABKG; Gess, *Klostervisitationen*; Redlich, *Kirchenpolitik*; id., *Staat und Kirche.*

politics of German princes—for discussing possible links between reform in the Middle Ages and in the Early Modern Period. Whether these connections are insignificant or indeed represent a "missing link" will be known only after thorough investigation.

3 The Church Politics of German Princes and the Rise of the Territorial State

"State and church before the Reformation"; this title was given by Justus Hashagen in 1930 to the first (and hitherto only) synthesis of church governance in the late Middle Ages.[51] It points to questions that are still relevant in today's research: How much "state" was there in the later Middle Ages, and how did pre-modern structures of power relate to the church, the largest and most highly developed organization of its age?

One of the central topics in both German medieval studies and regional history has always been the ascent of territorial lordship as a crucial factor of power in the constitutional reality of the Empire, and of the "consolidation" of this lordship during the emergence of the modern territorial state.[52] Traditionally, a link between this development and the question of church reform was discussed only in connection with the Reformation. We are told that it was Luther's version of territorial governance of the church that first made the sphere of the church, hitherto autonomous, accessible to secular power. Karlheinz Blaschke places the "objective" interest of the territorial state of Luther's Reformation in the "possibilities it offered to increase" and in the power of the state "both quantitatively and qualitatively."[53] Once again, the significance of the Reformation as a threshold between epochs is underlined; however, it was only in the theory of canon law that the church was wholly exempt from secular influence even in the Middle Ages?[54]

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51 See Hashagen, *Staat und Kirche.*

52 See II, 2 below.

53 Blaschke, "Wechselwirkungen," 441; this assumes that there were no interactions prior to the Reformation between the formation of the territorial states and the discussion of church reform. See ibid., 436.—Walter Ziegler seeks to show, in reference to territories such as Austria and Bavaria, that the continued loyalty of princes to the old church certainly need not be regarded as a deficit in the development of the formation of territorial states. See Ziegler, "Territorium und Reformation," I, 173.

54 On this, see ch. 3.

Heinz Schilling pointed out in 1981 that the central position of the church in pre-modern society led "in the logic of the development to a link" between church reform and other processes of social renewal.[55] Hartmut Boockmann confirmed this observation by demonstrating the interdependence between the reform of the church and the reform of the Empire in the political thinking of the fifteenth century, which was particularly prominent in the *Reformatio Sigismundi* and in the book known as *Revolutionary of Upper Rhine*.[56] From the perspective of the medieval two-powers theory, it appeared logical that reform of the state and reform of the church were two sides of the same coin.

It would therefore seem promising to discuss pre-Reformation church politics against the background of the emerging territorial state. Did not the intensive discussion of reform in the fifteenth century lay the basis for interventions by princely governments in the church?[57] What goals did secular rulers pursue? Was reform merely a cipher for a policy of self-interest, or did the German princes genuinely identify with its spiritual goals? Did the patriarchalist state's new responsibility for the common good include a concern for the salvation of the people's souls? And if a prince was able to present himself in this way, what did this mean for the legitimation of territorial government? Finally, how did the exercise of influence by a prince alter the daily life in the local church at the close of the Middle Ages?

We are still far from a coherent definition of the role of church governance as an instrument of power in the hands of German princes before 1517. Recent voices show that they are convinced of its potential, when they declare church government to be a constitutive element of progressive territorial politics around the year 1500.[58] But was not the early modern state the presupposition of church government? In other words, was the latter not an epiphenomenon? Or is it possible to reconstruct a more complex interaction? What was the significance of legal titles such as "stewardship" and "patronage" for the expansion of territorial governance? And what was the significance of the trend towards territorialization of sovereignty for the relationships between princes and the multipolar institution that was the church? Our study of princely

55 See Schilling, *Konfessionskonflikt,* 2–40, at 34.

56 See Boockmann, "Zusammenfassung"; also: Angermeier, *Rechsreform und Reformation*; on these writings, see Boockmann, "Reformatio"; Lauterbach.

57 Thus, e.g., Boockmann/Dormeier, 156f.

58 See Reinhard, *Probleme,* 211; Rogge, "Praxis," 479; this is the conclusion of a monograph on Bavaria by Rankl, 270–273.—Albert Werminghoff had already emphasized the role of patronage and stewardship as early components of territorial sovereignty. See Werminghoff, 89.

church politics around the year 1500 cannot simply take secular governmental structures for granted, since our investigations promise to shed light on the formation of the territorial state itself.

4 George of Saxony in the Verdict of Posterity

These preliminary considerations show that a modern examination of the church politics of Duke George of Saxony (1471–1539) must have related to three fundamental processes inherent in the transition from the late Middle Ages to the Early Modern Period: the Lutheran Reformation, the Catholic reform, and the formation of the early modern territorial state. Such a study must also reconsider the narratives that historians over the past five hundred years have employed to characterize the figure of George the Bearded (as posterity called him).

Just like Reformation scholarship, Saxon regional history has been marked from the outset by confessional perspectives. This is not hard to understand, since confession has been a fundamental determinant of regional identity in Germany for the past 500 years. It is only in the last decades that we find increasing attempts to get beyond these interpretative models. Traditional perspectives nonetheless remain strong. Karlheinz Blaschke writes: "As far as Saxon regional history concerns the church, it stands in a Lutheran tradition. This must still remain the case, when new conceptual suggestions are included."[59] It is thus scarcely a matter for surprise that our historical knowledge continues to be formed in advance by confessional perspectives, narrow views, and evaluations. The picture of Duke George of Saxony is exemplary in this respect.[60]

Duke George does in fact fulfill every precondition to function as the founding figure of one of the most important territorial states in the Empire. As the first ruler of the duchy that his father had rather reluctantly founded, he became, in the course of a reign that lasted more than fifty years (1488/1500–1539), the creator of the Albertine territorial state, which existed in an uninterrupted dynastic continuity as electorate and kingdom until 1918.

Although it was George who elevated Dresden to become the capital of Saxony, established the first Renaissance residence in what later became the

59 Blaschke, "Landesgeschichte und Reformation," 128.

60 On the biography of Duke George, see Junghans, "Georg"; Werl, "Georg"; Höss, "Georg"; Hoyer, "Georg"; id., "Georg II"; Vossler; Bünz/Volkmar, "Albertinische Herzöge," 79–85; out of date: Flathe: Welck.—See also ch. 5.

Florence on the Elbe, and made the region flourish through his prudent economic and financial politics, he did not receive a place of honor in the history of Saxony.[61] Instead of George, the honor went to the next Wettin to rule the land for a lengthy period, his nephew Elector August who reigned from 1553 to 1586 and came to be considered the "father of the nation."[62]

The critical evaluation of Duke George in local historiography is due solely to the decision he made to oppose the Reformation.[63] The duchy of Saxony, very closely linked to Electoral Saxony, became a central arena of Reformation history when Luther appeared on the scene, but it was only with George's death in 1539 that the territory became fair game for the new teachings.[64]

George himself repeatedly attempted to justify his opposition to Luther. In 1527, in the Preface to Emser's edition of the New Testament, which he had initiated, the prince wrote: "In the same way, we trust and hope that even those to whom we are unknown and who will come after us will excuse us on this point too, after they read the following reliable instruction and account of the Lutheran [...] teaching and of the fruits that it bears."[65] But this request for a fair judgment by history remained a pious hope, since the rejection of Luther was viewed by later generations as a failure in the hour when world history was being made in central Germany. In a land that for centuries was to be the leading power of the Lutherans in the Empire, and that considers itself up to the present day to be the land in which the Reformation was born, there was scarcely any understanding of Duke George's church politics.

Saxon historians have in fact always been ambivalent in their evaluations of George's activity. Heinrich Butte's verdict can be taken as exemplary. In one and the same sentence, he contrasts George's "successful work as ruler

61 On Albertine Saxony under the rule of Duke George, see Kötzsche and Kretzschmar, 176–188; Blaschke, *Zeitalter der Reformation*; Hoyer, "Herzogtum"; Smolinsky, "Albertinisches Sachsen," 8–17; Gross, 29–56; on the early modern state in Saxony, see Goerlitz; Schirmer, "Herrschaftspraxis"; id., "Finanzen"; id., *Kursächische Staatsfinanzen*; Volkmar, "Hofrat."

62 See Bruning, "August"; id., "Landesvater.

63 On Duke George's church politics in the Reformation period, see (as a selection in chronological order) Schulze, *Ehrenrettung*; Blanckmeister; Cardauns; Hecker; Becker; Vossler; Ludolphy, "Kampf"; Wartenberg, "Luthers Beziehungen"; Smolinsky, *Alveldt und Emser*; id., "Albertinisches Sachsen"; Volkmar, *Heiligenerhebung Bennos.* For further bibliography and an overview of scholarship, see ch. 2.

64 For initial information about the Reformation in Albertine Saxony, see Junghans, "Ausbreitung"; Ludolphy, "Kampf"; Wartenberg, *Landesherrschaft*; id., "Entstehung"; Werl, *Elisabeth*; Clemen, "Einführung"; Lobeck, 90–179.

65 Preface by Duke George to Hieronymus Emser's edition of the New Testament, Dresden, August 1, 1527, ABKG, Vol. 2, 775–780.

and national economist" with "his tragic struggle to retain the old faith." Butte thereby constructs an antithesis between progressivity and conservativism, a perspective that is paradigmatic.[66]

Historians of the Reformation, on the other hand, have viewed Duke George primarily as Luther's adversary. The Wettin prince, whom the papal nuncio Morone once singled out among the princes of the Empire as "*firmissima colonna della fede catholica*,"[67] is regarded not only as one of the earliest, but also as one of "the most decided and perhaps [...] the intellectually most significant opponent[s] [of the Reformation] among the German princes."[68] Thus, George is presented as a crosscheck when a scholar seeks to emphasize the dynamic of the early Protestant movement. Scott Dixon concludes that not even a prince who acted as resolutely as George could have succeeded in preventing the movement from spreading.[69] Helmar Junghans sees George's failure as evidence "that the Roman church began to support the forces of reform only when it felt its very existence to be under threat from the Reformation."[70] The voluminous edition of the *Akten und Briefe zur Kirchenpolitik Herzog Georgs von Sachsen* ("Documents and Letters relating to the church politics of Duke George of Saxony") is one of many examples of the attention that historians of the Reformation have paid to Duke George. The fact that this collection begins only in 1517 shows clearly that the wider interest in George's church politics was restricted to his opposition to Luther.[71]

Finally, if we look more closely at the negative verdict of Saxon historians with regard to George's role in the Reformation, it is striking to note that the decisive factor was not only confessional reservations with regard to his clinging to Roman obedience, since historians usually granted that the theologically

66 Butte, 175.

67 Quoted from Cardauns, 101, n. 1.

68 Cardauns, 101.

69 "There is no greater testimony to the depth of popular support than the events in the lands of Albertine Saxony. Even in this principality, where Duke George made every effort to put down the movement, Luther gathered followers. There seemed to be little a prince could do to stop the spread of the movement in the early 1520s": Dixon, "Princely Reformation," 153.

70 "Since the spiritual dignitaries failed in the task, he inevitably came to grief. His church politics proved that the Roman church supported the forces of reform only when it felt its very existence to be under threat from the Reformation": Junghans, "Georg," 388.

71 See ABKG, especially the Preface to Vol. 1.—Its editor, Felician Gess, gave proof, of course, of a wider horizon of interest. It was he who published the first studies of George's pre-Reformation church politics, based on sources. See Gess, *Klostervisitation*; id., "Ablaß"; ABKG, Vol. 1, xxi–lxxxvii.

educated prince was a man of deep piety and conducted his life irreproachably; rather, what seems to be decisive is the assumed pointlessness of his anti-Lutheran policy. The adjective "tragic" becomes the key concept in the evaluation. As Theodor Flathe concluded in 1878, "The tragic element in George's life is the hopeless struggle he waged against a new reshaping that was taking place out of historical necessity."[72] A truly teleological certainty that the Reformation could not be halted is combined with the idea of its historic mission in Saxony. In view of the importance of the Reformation to the cultural history of central Germany, from Luther to Bach, it was obviously difficult to regard its success as a mere contingency. Accordingly, George's tragedy is identified as a waste of his creative powers on an attempt to prevent the irresistible victory of that which was new. Furthermore, it is taken for granted that George was in fact fighting against his own people, since "the whole land was secretly Lutheran."[73]

Ultimately, it is this pointlessness—allegedly foreseeable—that qualifies Duke George's church politics as a political mistake. In 1970, Karlheinz Blaschke could indeed accept the position George took against Luther as an "individual decision of conscience," but he emphasizes that this meant that George "neglected" his "political tasks." His actions are thus explained in terms of non-political personal motives, thereby completely dismissing the possibility that George's politics of Catholic reform could have had a future. Accordingly, Blaschke summarizes as follows: "When he died in 1539, this subjective element ceased to exist. The objective necessity could be enforced immediately: in other words, the Reformation could be introduced in Albertine Saxony too."[74] George's activity has been viewed again and again in this way, thereby adopting the perspective of the confession that was victorious after 1539. This is particularly obvious in the title of an essay by Ingetraut Ludolphy about "The struggle of Duke George of Saxony against the introduction of the Reformation." George automatically takes on the role of an obstacle to the "normal" course of history. This, however, is self-contradictory, for who other than the territorial ruler could have implemented an "introduction of the Reformation" from above?[75]

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72 Flathe, 687.

73 This is the classical quote from Franz Blanckmeister, which has been repeated in innumerable variations. See Blanckmeister, 119. On the popularity of this argument, see, e.g., Ludolphy, "Kampf," 169.

74 Blaschke, "Wechselwirkungen," 441.

75 Ludolphy, "Kampf," 165.

The other aspect of George's politics must thus inevitably be utterly puzzling, namely, the numerous attempts at Catholic reform that were repeatedly initiated, even in the Reformation period, by the alleged foe of spiritual renewal. The best known of these attempts is his leading role in the *Gravamina nationis Germanicae* at the Imperial Diet of Worms in 1521. Oswald Hecker goes so far as to project the historians' difficulties of understanding back onto George's contemporaries, when he asserts that the duke appeared "not only to his Ernestine neighbors, but to the entire German people [...] ambivalent in his very nature from early on, since on the one hand, [...] he fought against the abuses of the Roman clergy [...] while on the other hand, he continually opposed in the strongest terms Luther's teaching and his views."[76] It is therefore not particularly surprising that not even a historian can offer a coherent interpretation of George's motives. Hecker sums up: "Here there yawns a gap in our understanding of the nature of this prince."[77]

The allegedly insoluble contradictions between the modern territorial ruler and the reactionary church politician, and indeed the inability to see any link between George's criticism of Rome and his opposition to Luther, show very clearly the limits of traditional historiography. Its obsession with the Reformation as the hour when Saxony was the arena of world history has evidently caused it to lose sight of alternatives.

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76 Hecker, 4.

77 Ibid., 5.

CHAPTER 2

George of Saxony's Church Politics from a New Perspective

1 Approach and Methods

The first requirement of a new study of the church politics of the last Catholic Wettin ruler must be to break out of the interpretative horizon of the "land where the Reformation was born."[1] The contradictions sketched above exist only as long as a productive solution to the questions of reform in Saxony is equated with the Reformation. Let us therefore ask anew: Did George's church politics during the Reformation have a political future? Did Luther's contemporaries really see the Reformation as the only conceivable answer to the problems of the period? Lastly, was the Protestant movement inspired by the Reformation truly unstoppable?

A look across regional borders encourages us in our search for alternatives. In Bavaria, for example, an attempt at Catholic reform, surprisingly similar to George's endeavors, was made in the early 1520s. Just as in the Margraviate of Brandenburg and Austria, the Protestant movement was put under such pressure by the authorities that it was unable, for the time being, to win. It is irrelevant here whether this was definitive or temporary.[2]

Against this background, a change of perspective appears highly promising in the case of Albertine Saxony. Duke George's church politics ought no longer to be considered only from the perspective of the Lutheran Reformation as an *a priori* negative reaction to the Reformation. A fresh approach allows us to see the political motivations of a key figure of Reformation history.

The conceptual focus must be broadened in two respects. First, the period we shall examine has to be extended chronologically. Instead of taking Luther's appearance on the public scene as the starting date (as was done, for example, in the standard edition of the *Akten und Briefe zur Kirchenpolitik Herzog Georgs von Sachsen*), we will put particular emphasis on the pre-Reformation

1 Vossler, 272.

2 On Bavaria, see Lutz/Ziegler, 337–351; Pfeilschifter, Vol. 1, 1–5; Wolgast, "Territorialfürsten," 420–423; Kohnle, *Reichstag,* 137–147; Rössler; on Austria, see Hofmeister; Ziegler, "Nieder- und Oberösterreich"; on Brandenburg, see Winterhager, "Kurbrandenburg"; Rudersdorf/Schindling, 39 f.

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era between 1488 and 1517. Those years can be regarded as the formative phase of Duke George's church politics; however, they have been almost totally neglected by scholars up to now. Determining the state of development of territorial church politics before the Reformation is a decisive presupposition if we are to understand the motives and the conceptual orientation of George's church politics in the Reformation period on the basis of its own development.

Secondly, we must pursue a thematic broadening of the horizon of our investigation by attempting to detach the analysis from the opposite perspective of the Reformation and thus avoid pinpointing George as the adversary of Luther. On one hand this allows us to observe pre-Reformation church governance; on the other, we can situate George's church politics within the context of Catholic reform. The arc reaches from the roots of the commitment to reform on the part of the territorial sovereigns in the late fifteenth century to a decidedly Catholic reform in the 1520s and 1530s. The continuation of these politics, even in the face of the early Reformation, seems noteworthy, and we must inquire into the relationship between the motivation and the self-understanding of the anti-Lutheran measures and Catholic reform. Was the resistance to the Reformation simply juxtaposed to the previous commitment to reform, or was there in fact a close relationship between the two? We shall give equal treatment to the pre-Reformation church governance and Catholic reform, on the one hand, and to the struggle against the Reformation, on the other, as fixed points of Albertine church politics.

Therefore, this study is presented in two parts. In the first section, the entire spectrum of Duke George's pre-Reformation church politics will be reconstructed; in the second, his church politics against the early Reformation shall be discussed. It is not possible to name an exact chronological caesura, because both parts have an asynchronous thematic and analytic structure. However, events such as the Leipzig Disputation of 1519 and the Imperial Diet of Worms in 1521 function as hinges, because the pre-Reformation church reform and the dispute with the Reformation overlap.

Using this approach, the present study can both profit from the work already done in some older monographs and rely on present-day developments in scholarship. Among the older works, Paul Kirn's monograph on Friedrich the Wise points the way ahead because it was the first to use Friedrich's pre-Reformation church politics as the background for his policy of protecting Luther. This allowed him to relativize a number of hasty judgments that scholars had made about Friedrich's sympathies with the Reformation.[3]

3 Kirn was arguing above all against the studies by Paul Kalkoff, which had hitherto been the standard works. See Kirn.

The few studies that have looked at Duke George's pre-Reformation church politics point out that his personal governmental praxis led to an intensification of church governance.[4] Rudolf Zieschang concluded his examination of the Wettin church politics in the late Middle Ages by sketching the outlines of a systematic investigation of Duke George's church governance, but he never wrote that work.[5]

Duke George's importance for Catholic reform was seen at an early date. Already in 1834 Adolf Moritz Schulze, who held the post of afternoon preacher at the University church in Leipzig, attempted to justify "salvaging the honor of Duke George of Saxony" by arguing that despite his rejection of Luther, he had aimed at a reform of the church.[6] In an early study, taking the example of monastic reforms, Felician Gess, subsequently editor of the "Akten und Briefe," traced the continuity of these reform endeavors from the late Middle Ages to the 1530s.[7] The orientation of scholarship toward George as Luther's adversary often meant that this aspect shifted into the background, so that no monograph has as yet been devoted to the investigation of George's reform politics.[8]

A widening of the perspective can also find support in Otto Vossler's essay on the motives of George as Luther's adversary, which was published in the *Historische Zeitschrift* in 1957. It is true that when Vossler called Albertine Saxony "the land where the Counter-Reformation was born," he meant this to be understood primarily as a reference to George's fight against the Reformation.[9] The comparison to the confessional period is an important pointer, however, because George's church politics can in fact be compared to the comprehensive concepts of Catholic confessionalization, which combined resistance and reform in equal measure. This has recently been underlined by Eike Wolgast in an essay on the position taken by the German princes toward the early Reformation, in which he acknowledged the outstanding and autonomous role of Duke George. With reference to the research of Felician Gess, he emphasized that while George opposed Luther from the very outset, he was at the same time an energetic champion of church reform.[10] Scott Dixon also emphasizes the future potential of this concept: "In many ways the measures

4 See, e.g., Zieschang, 120; ABKG, Vol. 1, xxi–lxxxviii; also Vossler, 281 f.

5 See Zieschang, 116 with n. 7, 119 with n. 2, 149.

6 See Schulze, *Ehrenrettung,* here 44–53.

7 See Gess, *Klostervisitationen.*

8 George's late church politics in the 1530s have always received more attention. See, e.g., Cardauns; Hecker; Wartenberg, *Landesherrschaft.*

9 Vossler, 272.

10 See Wolgast, "Territorialfürsten," 417–420.

taken in Albertine Saxony and Bavaria were the first steps of the Catholic reaction in the German lands."[11]

In the context of his research into the controversial pamphlets of the Reformation period, Mark U. Edwards drew attention to the innovative power of the anti-Reformation politics of Duke George. He identifies Duke George—not a pope or a bishop—as the most important supporter of anti-Lutheran propaganda in the public sphere of the early Reformation.[12] Heribert Smolinsky has complemented Edwards' statistical analyses with his investigation of the controversial theologians who were associated with the court in Dresden. He presents concrete case studies and offers a brief summary of George's church politics in the Reformation period.[13]

Finally, the Leipzig church historian Günther Wartenberg pointed out that it is necessary to relativize the wholesale statements of earlier scholarship about the broad popularity of the Reformation amongst the Albertine population. His overview, structured according to administrative bodies, allowed him to show that while there were strongholds of the Protestant movement such as Leipzig or Oschatz, there were other regions such as the central Elbe valley around Meissen and Dresden in which the majority remained faithful to the old church.[14] It is clear that Duke George succeeded not only in "binding a part of his people to the Catholic church," but also in harnessing the societal elites for his struggle against the Reformation. Wartenberg sums up: "On the question of Luther, the aristocracy and the ruling classes supported George."[15] These observations reopen the discussion about the prospects of success for Duke George's anti-Lutheran politics, especially since individual pieces of evidence such as an essay about Leipzig by Siegfried Hoyer and Uta Schwarz indicate that the territorial ruler's policy of sanctions met with some success even in the centers of the Protestant movement.[16]

Given this point of departure, the present study intends to present the first systematic investigation of Duke George's church politics before the

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11 Dixon, *Germany,* 119.

12 See Edwards, *Printing,* 37.

13 See Smolinsky, *Alveldt und Emser.* For an outline of George's church politics, see ibid., 311–323; see also Idem, "Albertinisches Sachsen," 11–17.—For an initial study of these questions, see Becker.

14 See Wartenberg, *Landesherrschaft,* 24–63; Hoyer, "Georg II," 137.

15 Wartenberg, "Luthers Beziehungen," 566, 563; see also Goerlitz, 475–482; Volkmar, *Heiligenerhebung Bennos,* 110–120 (taking the example of the celebration of the canonization of Benno of Meissen in Meissen in 1524), and see p. 346 f. on the example of Dietrich of Meckau at Limbach.

16 See Hoyer/Schwarz, 99.

Reformation in order to take a fresh look, against this background, at his conflict with the early Reformation. By demonstrating the inadequacy of contrary positions, this study makes it possible to see the alternatives to the Reformation that existed even in the land of Luther, and this offers modern, ecumenical historiography the chance to better understand the contingency of an open historical situation with its various options for action, thus grasping the complexity of societal change. Duke George's church politics, with a very specific matrix of modern and conservative elements, promises to be an interesting case study with regard both to the transformation processes that we have outlined and to the relationship between continuity and change in the transition from the Middle Ages to the Modern Period.

1.1 *The Church Politics of German Princes*

The present study examines the church politics of a secular prince in the Empire. As an agreed concept, and unrelated to the vocabulary used in the sources, "church politics" opens up a wide and unspecified semantic field, and thus appears suited to the investigation of the pre-Reformation situation. This is suggested by its use in the titles of numerous studies.[17] In what follows, "church politics" will be employed as a heuristic concept, under which are subsumed all the forms of political activity by the territorial sovereign in relation to, or in reference to, the church as an institution of salvation and to its members.

Since the worldview of the Middle Ages presupposed an indissoluble interlinking of the church and the world, church politics were also societal politics. It would be anachronistic to attempt to reduce church politics to a religious sphere of some kind. This means that *prima facie* secular sources such as territorial law codes or regulations must be discussed with regard to their ideological implications. We must also bear in mind that a specific structural characteristic of the medieval imperial church was that it itself exercised secular power. This means that the levels of contact between secular princes and the members of the church could not remain limited to the spiritual sphere.

When Max Weber defines politics as "the systematic treatment and steering of a particular objective matter,"[18] this shows clearly what is involved in church politics, at least in the sociological sense: namely, exercising influence and

17 See, e.g., Hennig, *Kirchenpolitik*; Kirn; Koller; Redlich, *Kirchenpolitik*; Wintruff, *Kirchenpolitik*; Wülk/Funk. This concept was introduced into the historiography of Duke George by Felician Gess, and was later also used in relation to his Protestant successor, Elector Moritz. See ABKG; Cardauns; on Moritz: Wartenberg, *Landesherrschaft.*

18 Weber, *Wirtschaft und Gesellschaft,* 30.

enforcing interests—in this case, the interests of a prince vis-à-vis the church. But we cannot rest content with Weber's interim conclusion that "one who engages in politics is aiming at power," since people seek power not only for its own sake, but also in order to employ it "as an instrument at the service of other goals—whether ideal or egotistic."[19]

In the context of this study, two aspects of church politics are of particular interest and will serve as guiding concepts in our interpretation: *church governance* and *church reform*.[20] In Weber's terminology, we are taking up an instrument of power and a political goal of the territorial sovereign's church politics; one task of this study is to clarify the relationship between them. For example, what role did church governance play as a political instrument in the implementation of reforms in the church? To what extent was the establishment of territorial church governance already a transformation of the church? Finally, we must not forget that territorial sovereigns were entering an extremely sensitive field when they became involved in church governance. Medieval political thought accepted the legality of interventions by a secular ruler in church affairs only on certain conditions and within narrow boundaries.[21] A third focus of the investigation must therefore be on the *strategies of legitimation*, the patterns of argumentation and modes of self-staging that were employed by the prince to communicate and justify his claims of rule over the church.

1.2 *Levels of Action in Church Politics*

One of the central goals of the present work is the investigation of the extent of the church politics of a German prince circa 1500 in order to use them as the starting point for new affirmations about their influence on the Reformation, Catholic reform, and the formation of the territorial state. In other words, the present work aims to reconstruct Duke George's church politics as comprehensively and systematically as possible. It parts company with the standards of earlier studies, in which individual aspects such as monastic reform and the appointments to clerical benefices usually stood more or less in isolation as

19 Ibid., 822.

20 For more detail, see section 2 below.

21 According to the two-powers theory, the spiritual and the secular power and the pope and the emperor are established jointly by God to rule over the world. This means that, despite their separate areas of competence, they remain related to each other. Thanks to their common responsibility before God, each is entitled to intervene in the sphere of government of the other power (theory of emergency law). See Schieffer; Mantey.

the focuses of investigation.[22] It is only during the course of investigation that we shall see whether Duke George's church politics proved to be a cohesive system, or dissolved into a conglomeration of unconnected individual measures.

If such an approach is to succeed, it is decisively important to choose an appropriate analytical model. The structural principle employed here is a classification of levels of action elaborated inductively. It is oriented not to topics or discourses, but to the specific communication partners of the territorial sovereign's politics and the objects of his actions. The following areas of politics can be distinguished, corresponding closely to the ecclesiastical hierarchy: the curia and the council, bishops and cathedral chapters, the ecclesiastical court system, the regular clergy, the lower secular clergy, and the laity.

These are complemented by two levels of action that lay outside the church organization, but which rapidly gained importance around 1500, namely, the discussion of church-political questions that arose in the empire and at Imperial Diets, and the methods of communication used to pose these questions with the aid of new media in the age of printing in the pre-Reformation and Reformation public sphere.

The character of this heuristic approach not only does justice to the increased sensitivity of modern political history on the importance of processes of communication and interaction in the practical realization of government,[23] it is also based on the idea that when research into political history attempts reconstruction, it must include the patterns of perception the actors in the past used to understand and deal with their reality.

With regard to the presuppositions of the territorial rulers' church politics, it is vital to grasp that the church in the late Middle Ages disintegrated into a large number of relatively autonomous institutions and associations of persons. It is indeed true that the church penetrated medieval society in a manner unparalleled by any other societal entity thanks to its high degree of organization; in its European dimension, however, it was not linked to the framework of reference of regional governmental structures. The church of the fifteenth century, which had been dynamized by schism and conciliarism, was anything but a monolithic unity, because the papal primacy did not yet mean papal absolutism, and there were limits to the possibilities of centralized

22 For a presentation of the state of research, see ch. 3. The most important monographs in recent years are the following: Rankl; Stievermann, *Landesherrschaft*; Schulze, *Fürsten*. Helmut Rankl has recently pursued an access that resembles in its comprehensiveness the model of various levels that I propose here.

23 See most recently Jussen, xiv–xvi; for the regional history of central Germany: Rogge, "Praxis," 493–498 (with further bibliography).

governance, even in the phase of restoration under the Renaissance papacy. The consequence was the *de facto* articulation of the *Corpus Christianum* "in head and members," that is to say, in a large number of partly autonomous subsystems, which formed their own specific systems of relationships and were linked through variegated governmental and societal relationships to the society around them.[24]

This means that the church politics of the territorial sovereign were not confronted by *the* church; it was obliged to deal with the plurality of the church's members. Interaction with the papacy was doubtless one important level of communication, but it did not take the place of contact with bishops and cathedral chapters, orders and monasteries, parishes, and the priests who said Mass. The members of the church were obliged by the norms laid down by canon law and the ecclesiastical hierarchy to obey the church, but this did not exhaust their potential for action, especially in a period when (to take one example) supervision by the bishops was restricted by structural deficiencies. At the same time, the interaction between the territorial sovereign and the various ecclesiastical bodies involved a large number of constitutional elements inherited from the past. These offered secular church politics the possibility of exercising influence in a great variety of ways. It is not only at first sight that the specific problems linked to terms such as monastic bailiffs, parish advowson, or the *privilegium fori* have little in common.[25]

Accordingly, it was not yet possible, in the period before the Reformation, to practice *one* form of politics vis-à-vis *the* church (as in the system of regional and state churches of the confessional age, or after the modern separation between church and state in Bismarck's *Kulturkampf*). Standardized relationships between the territorial sovereign and *the* church of *the* territory were conceivable at most as a distant goal, not as a presupposition of the politics of the territorial sovereign. The voices that warn against taking an exaggerated view of the church-political possibilities that were open to princes before the Reformation emphasize these structural circumstances. Ernst Schubert finds the concept of "church governance" problematic with regard to the late Middle Ages because it suggests a uniformity in the relationships between the church and the territorial government that did not exist: "Just as *the* church does not exist, so too *the* relationship to it does not exist."[26] This is a pivotal objection,

24 See, e.g., Werminghoff; Janssen, *Köln.*

25 For an introduction, see ch. 3.

26 Schubert continues: "[…] this makes it clear that it is impossible to pin down the topic of 'church and princes' to clear lines, as is suggested (for example) by the slogan of 'territorial church governance": Schubert, *Fürstliche Herrschaft,* 38.

and the present study seeks to do justice to it by means of a separate investigation of the various levels of church politics. The difficulties involved in quickly identifying a common denominator in the church politics of territorial sovereigns should not, of course, deter us from describing these politics as a whole, and from expressing them in analytical concepts. An operationalization of the concept of church politics must do justice to the contemporary patterns of perception, even when the articulation that this produces seems at first unsatisfactory from the perspective of analytical penetration. This does not mean abandoning deeper approaches, such as the question of topics or discourses; this structuring means that these can be tackled only at individual levels.

1.3 *Religious History and Regional History*

A look at fundamental historical events demands methodological diversity, and it is precisely the history of the Reformation that has traditionally proven to be open in this respect. It is therefore essential for a study of the church and politics in the late Middle Ages and the Reformation to hold in readiness the varied methodological instruments of modern cultural and religious history.[27] The approaches of prosopography, of the sociology of religion, of the history of mentalities and of piety, and of the historical research into communication prove compatible here. Using the possibilities of prosopography, recent research has made us newly aware of the importance of personal relationships for the functioning of modern society.[28] In the present study, I apply the prosopographical approach to Duke George's procurators at the curia, who permit us to see the personal interconnections between the curia and the local church, as well as with the ecclesiastical personnel of the regional government. The Protestant movement in Albertine Saxony will be investigated using the instruments of the sociology of religion founded by Max Weber and Ernst Troeltsch.[29] Finally, I owe a general debt for the analytic instruments employed in the present study to Max Weber's historical sociology.[30]

Besides this, the approach via regional history (*Landesgeschichte*) is equally important for the path taken in the present study. The very fact that the decision in the Empire with regard to the confession was predominantly made by

27 On perspectives of the modern history of religion, see the overview in Greyerz, *Religion und Kultur,* 9–41. See in general the bibliography in ch. 1.

28 See Reinhard, *Freunde*; also the essays in Maczak; for exemplary studies related to the narrower topic of the present investigation..See also Gramsch; Tewes, "Luthergegner."

29 See Weber, *Wirtschaft und Gesellschaft*; Idem, *Religionssoziologie*; Troeltsch; among recent scholars: Bainbridge; Stark/Bainbridge.

30 See Weber, *Wirtschaft und Gesellschaft*; Idem, "Verstehende Soziologie."

the territories indicates "that a treatment from the perspective of regional history [...] leads directly into the heart of Reformation history."[31] Regional history is understood here as the attempt to approach the history of the late Middle Ages and the Early Modern period while keeping close to the sources and taking particular account of the constitutional reality of the Empire through its orientation to the territories' scope of action.[32] In its methodological approach to its sources, regional history can act openly and undogmatically, "unbounded within boundaries" (Ludwig Petry).

The present study reflects the traditional emphases of regional history through the special attention it pays to questions of constitutional and administrative history with regard to the internal structures of the Wettin territorial state. In examining every church-political measure taken by George, it attempts to clarify precisely what competence the territorial sovereign possessed to give directives to the addressee. Approaches drawing on the history of structures are also important—for example, the investigation of groups of persons who supported and facilitated the territorial sovereign's church governance.[33]

One central methodological advantage of regional history is that it makes it possible to draw comparisons between territories.[34] In the present work, the contrast between the Albertine situation and church politics in other territories of the Empire permeates every stage of the cognitive process. It is only this embedding in the broader context that enables us to make further affirmations about the stage of development, the specific characteristics, and the special elements of the case study, and about its significance for the phenomenon of princely church politics in the Empire. Important parameters of comparison are, above all, territories with pronounced church politics, such as Bavaria, Brandenburg, Württemberg, Hessen, Jülich-Berg, and the Austrian crown lands. The comparison with the alternatives that lay close at hand, that is to say, with the Wettin tradition of the fifteenth century and with the church politics in Electoral Saxony under Friedrich the Wise, is particularly informative.[35]

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31 Ziegler, "Territorium und Reformation" 1, 162.

32 On the methodological positioning of regional history, see Buchholz.

33 On the history of the administration of Saxony under Duke George, see the various essays by Karlheinz Blaschke, which are now available in a collected volume. See Blaschke, *Beiträge*; also Goerlitz; Schirmer, "Herrschaftspraxis"; Volkmar, "Hofrat." For general information about the Empire, see Willoweit, "Landesherrschaft." For further bibliography, see ch. 5.

34 On the approach taken by comparative regional history, see Buchholz; case studies: Ziegler, "Territorium und Reformation" 11; Schneider.

35 On these parameters of comparison, see ch. 3 and 4.

Finally, in keeping with the ideas of Volker Press and Peter Moraw, we must also inquire into the correlation between the imperial and regional levels.[36]

1.4 *Late Middle Ages and Early Reformation*

The lengthy reign of Duke George (1488/1500–1539) offers excellent presuppositions for the overview of territorial church politics before and during the Reformation that we have identified as a desideratum. A thorough examination of the pre-Reformation period, which has received scarcely any attention, opens up the prospect of a new understanding of the princely church politics of the Reformation on the basis of its late medieval presuppositions; however, we have decided not to present the last years of Duke George's reign with the same thoroughness. We have chosen 1525 as the cut-off point for our systematic investigation. Naturally, this demarcation is not to be understood as absolute, since we shall draw on sources from later years when this appears helpful to our argumentation.

It is easy to justify the substantial significance of this caesura, since the years of the early Reformation (1517–1525) traditionally count as an independent historical epoch. By 1525 the "stormy years" of the Reformation had ended; the production of pamphlets had passed its zenith, and the dynamics of the "revolution of the common man" had been broken by the catastrophe of the Peasants' War. A phase of consolidation had begun, marked both by the introduction of the Reformation by the authorities in numerous imperial cities and territories, and by the public demarcation of the Reformation vis-à-vis the papal church through the Protestation at Speyer (1529) and the Confessio Augustana (1530). Catholic reform and Lutheran Reformation were now increasingly perceived as irreconcilable; the polarization paved the way for confessionalization.[37]

Examining the interior perspective of Albertine Saxony allows us to grasp the meaningfulness of the classical caesura by dividing Reformation history into periods. The climatic change that took place around 1525 harmed the Protestant movement in the territory, which had lost much of its original

36 See Moraw/Press. On the Imperial Diets, see most recently Kohnle, *Reichstag.*

37 See in general Raabe, 302–391; Blickle, *Bauernkrieg.* Eike Wolgast chooses the year 1530 as the final point of his investigation of the church politics of secular imperial princes in the early Reformation; Walter Ziegler identifies the "initial years up to ca. 1525" as the period we should be looking at. See Wolgast, "Territorialfürsten"; Ziegler, "Territorium und Reformation" 1, quotation 164.

dynamism and had been obliged to withdraw from the public sphere.[38] This observation points to a further reason, in this case analytical, for choosing 1525 as the cut-off point: detached from the 1539 event that was on the horizon, an interim assessment of 1525 has an attractiveness all of its own, since it makes possible new perspectives regarding the prospects of Catholic church politics in Saxony.

Finally, pragmatic considerations suggest conducting research in this way. Without limitations on the thoroughness of the investigation, it would scarcely be possible to cover the entire period, and the approach of the present study demands that we pay particular attention to the early years. In addition, the conditions for research in the late years (which have been relatively well investigated) will significantly improve in a short time now that work on the "*Akten und Briefe*" for the period 1528 to 1539 has been taken up again.[39] This means that, alongside the systematic presentation of pre-Reformation church politics, Duke George's encounter with the early Reformation (1517–1525) will have a central place in the present study. The perspective obtained will permit us to see Duke George's late years in a new light. This, however, will be the task of future research.

2 Guiding Concepts

2.1 *Territorial Government*

A study of the church politics of a territorial sovereign must begin by confronting the history of research into medieval government, a history that is convoluted and full of aberrations.[40] The tendency of older constitutional history to seek to employ the categories of the modern state and its institutions as a means of describing medieval conditions can be seen as misguided. Although Otto Brunner subjected this anachronism to effective criticism as long ago as 1939, an important collective volume published in the early 1970s still bore the title *Der deutsche Territorialstaat im 14. Jahrhundert* ("The German territorial state in the fourteenth century").[41] This field is now dominated by conceptions

38 On the development of the Protestant movement in Albertine Saxony, see Wartenberg, *Landesherrschaft,* 24–63, and ch. 16.

39 This has been completed in 2012. See n. 84 below.

40 See Schubert, *Fürstliche Herrschaft,* 51–61.

41 See Brunner; Patze, *Territorialstaat.* On the discussion of Brunner's work, which has been extended in recent years to include the dimension of the period in which it was written (Third Reich), see the summary in Bünz, "Land als Bezugsrahmen," 58–68, 89–92.

that employ the basic concept of *Herrschaft* ("government"), which is covered by the sources.[42] The approaches by Walter Schlesinger and Otto Brunner, and more recently by Peter Moraw and Ernst Schubert, while certainly not in agreement on all points, have achieved authoritative status.[43] Now that scholars have become more strongly aware of the terminology and the constitutional reality of the Middle Ages, the difficulties of an attempt to comprehensively systematize have become all the more obvious. The theories formed in the Middle Ages were not closed systems. Other inherent barriers include the overlapping of German and Roman law, regional plurality, and the tendency during that period to employ a cumulative (and hence blurred) formulaic language.[44]

The present study will operate with the guiding concepts of "territorial government" and "territorial sovereign," which have found wide acceptance among scholars; their classical elaboration drew on the example of central Germany.[45] Despite the plausible criticism of the claim that the *domini terrae* of the early thirteenth century were already lords of a territory,[46] scholars agree that some members of the higher nobility succeeded, at the latest during the fourteenth century, in establishing a government based on the progressive accumulation of various sovereign rights, a government that was clearly more intensive than earlier forms. This government was characterized by the creation of a mediatized organization of vassals and by a spatial reference with future potential (e.g., the formation of districts). A legally oriented constitutional history has painted an organically structured picture of this process, but we should emphasize rather its dynamic, provisional character, and its potential reversibility.

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42 See Moraw, "Herrschaft," 5. This term was not, however, used in the Middle Ages as an abstract noun to denote a form of government, but as a concrete reference to a specific right. This distinguishes the use in the sources from the concept employed in modern scholarship, which Dietmar Willoweit, broadening the classic definition by Max Weber, defines as "the legally justified claim on the behavior of another person, which is usually linked to the authority to issue commands": Willoweit, "Herrschaft," col. 2177.

43 See Schlesinger, *Entstehung*; Brunner, Moraw, *Von offener Verfassung*; Schubert, *Fürstliche Herrschaft*; Idem, "Umformung"; Idem, "Gebot."

44 See Moraw, "Herrschaft"; on the terminological plurality of the language in the sources, exemplified by means of the central concept of "land"/"terra," see Bünz, "Land als Bezugsrahmen," 68–73.

45 See Moraw, *Von offener Verfassung,* 183–194; Willoweit, "Landesherrschaft"; from the perspective of legal history: Willoweit, *Rechtsgrundlagen*; the most recent overview in Reinhard, *Probleme,* 205–211. With special reference to central Germany, see Schlesinger, *Entstehung*; Blaschke, *Geschichte Sachsens,* 274–322; most recently, the essays in Rogge/Schirmer.

46 See Moraw, "Herrschaft," 13; Schubert, *Fürstliche Herrschaft,* 54 f.

Since the formation of territorial government was, above all, a struggle to suppress others, in the long run there were more losers than victors.

Ernst Schubert has recently observed that the agreed concept of "territorial government" (*Landesherrschaft*) is not anchored in the language of the sources, and he suggests that one should rather speak of "princely government." This criticism, however, scarcely touches the substantial core of the concept. The reference to a "land," which Schubert criticizes as having been made too early, can certainly be justified in the case of Saxony, as we see in the sources' use of concepts such as "territorial prince" (*landesfurst*), "land law" (*lannds ordenung*), and "foreign" (*ußlendisch*).[47] The question around 1500 in the highly

47 See Schubert, *Fürstliche Herrschaft,* 55–57; Idem, "Gebot," 55 f.—At an earlier date, Walter Schlesinger had described the composite term *Landesherrschaft* as only an agreed concept; unlike *Herrschaft* ("government"), it is not a term used in the sources (see Moraw, "Herrschaft," 13; Schubert, *Fürstliche Herrschaft,* 57). This, however, does not seriously hamper its use, and Ernst Schubert himself continues to employ it. We must wait to see whether his proposal that we should speak of "princely government" wins acceptance. The core of Schubert's terminological criticism is the reference to a "land": he argues that this is linked to a territorial dimension of government that becomes a reality only with the formation of the territorial state between 1450 and 1600 (see Idem, "Begriff Land"). A discussion of this question is made more difficult by developing regional differences. In the case of the Wettin territories at the end of the fifteenth century, the relationship between land and government clearly existed: the spatial fixation of government had been achieved by the formation of districts from the fourteenth century onwards (see Blaschke, "Ausbreitung"). Besides this, the concept of "land" is frequently found in the sources with a direct reference to the government of the Wettins. Examples from George's reign are typical self-designations by the duke as *landesfurst* (e.g., Duke George's letter to the prior and convent of the Dominican monastery in Leipzig: Dresden, April 1, 1517, ABKG, Vol. 1, 6), the explicit designation of the projected territorial law code of 1502 as "lannds ordenung" (Project of a land law for the entire Wettin territory, July 5–8, 1502, Loc. 14950, Konzepte […], 1474–1525 [unpaginated], as sheet nr. 3 in Fascicle "1502"), or the use of the term *ußlendisch* for courts located outside the Albertine territory (Law code of Duke Wilhelm III, Weißensee, January 9, 1446, Müller, *Reichstagstheatrum Maximilianum,* Vol. 2, 86–95, at 87). The formative power of the Wettin government for the ascription of "land" can be seen with particular clarity in the successive transfer of the name of Saxony to the March of Meissen after the Margrave was raised to the status of Elector in 1423 (see Kobuch, "Weg").—The concept of "land," with its connotations of government, must not, of course, be understood exclusively. Other *Landschaften* such as Thuringia, Meissen, and Osterland continued to exist (see Volkmar, *Heiligenerhebung Bennos,* 149–151). There are points of contact here with Schubert and his observations about early-medieval tribal territories and regional customs as alternative factors in the reference to a "land" (for example, in the case of Thuringia), but not with Otto Brunner, whose concept of "land," with its starting point in a common regional law for Central Germany, had already been rebutted

developed territory of Saxony was less about whether territorial government had become established, than about how far the next process of transformation in the direction of the early modern territorial state had already progressed.[48]

The use of the term "territorial government" thus promises an assured starting position for the present investigation. It helps us not to lose sight of older constitutional elements that continued to be operative, such as the feudal system. These may not have belonged to the factors that propelled the formation of the territorial state, but they could certainly have remained significant for church politics.[49]

Finally, the usefulness of the interpretative term "territorial government" is increased by its applicability as a synonym for "superior authority" (*Obrigkeit/Oberkeit*) in the sources. This term, which suddenly became central at the end of the fifteenth century, doubtless had its roots in Roman law (*superioritas*).[50] Like "territorial government," its linguistic usage combines a personal and an abstract semantic field, thus becoming a "hinge."

"Superior"[51] both designates the ruler as an acting subject and serves as a new legal title ("princely superior") that brings together, in a new unity, the prince's authority to exercise power and his claims to power,[52] appealing to

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by Herbert Helbig. See Schubert, "Gebot," 50–53; Idem, *Fürstliche Herrschaft,* 60 f.; Bünz, "Land als Bezugsrahmen," 73–88; Helbig, *Ständestaat,* 464–476.

48 See especially the studies by Karlheinz Blaschke, now conveniently presented in Blaschke, *Beiträge*; see also the essays in Rogge/Schirmer.

49 On this, see e.g., ch. 11, section 6.

50 See Sellin, 393–492.

51 The various contexts can be seen in the way Duke George employs this concept. Personally: "if a parish priest […] resists the *oberkeyt*" (letter of Duke George to Bishop Johann VII of Meissen in Rome, Dresden, January 4, 1523, ABKG, Vol. 1, 421–425). As a title of government: "on the basis of our princely *obrikeit,* power and authority" (document issued by Duke George for the convent of the Magdalen nuns in Freiberg, Dresden, August 17, 1498, Grundig/Klotzsch, Vol. 7, 152–153); "It is necessary and useful […] that the duke should give orders throughout the whole land […] by the princely *oberkeit*" (project of a land law for the entire Wettin territory [before July 9, 1498], Burkhardt, *Landtagsakten,* 35–40). In the dispute about whether the village of Niederfrohna belonged to the Ernestines or the Albertines, Duke George defined *oberkeit* in 1534 by means of the right to demand taxes and military service: "The princely *oberckeyth,* that is to say, taxes and military service" (letter of Duke George to Dietrich von Meckau at Limbach, Dresden, January 19, 1534, Loc. 83782, fol. 11).

52 See Schubert, "Gebot," 48 f.: "This concept is a synthesis of all the tasks of princely government."—Against this, Johannes Merz has pointed out that the concept of "princely superior authority" could refer in individual texts in the sources to various rights, namely, to all the available rights that could be used to justify the claim to sovereignty over a

a fictitious continuity of Roman imperial law with its different hierarchical levels: *imperator-superior-universitas*.[53] The new goal was no longer the acquisition and accumulation of rights to exercise power, but the unification and leveling of the originally varied relationships between the territorial ruler (*superior*) and his subjects (*universitas*). Ultimately, in the seventeenth century at the latest, this process culminated in territorial sovereignty (*Landeshoheit*) of the early modern territorial state.[54] The technical term *Landesherrschaft* ("territorial government") covers both these semantic fields; it synonymously stands for the activities of the prince and for his representatives, and is accessible for analysis as a system of government.

2.2 *Church Governance*

The term *landesherrliches Kirchenregiment* ("territorial church governance") is an agreed upon concept in scholarship. The basic word *Regiment*, "governance," is a loanword from the Latin *regimentum*, and was used in neologisms such as *Reichsregiment* ("governance of the Empire") and in Luther's doctrine of *zwei Regimente* (usually translated as "two kingdoms"); it has, therefore, a contemporary reference. Its semantic field is varied. In a direct parallel to today's meaning of the word "government" (*Regierung*), it encompasses both the concrete exercise of ruling power and one particular form of government, as well as the government organization that is employed to this end.[55]

Around 1900, "church governance" became popular as a research concept for the late Middle Ages. A number of studies discovered (not least through the example of Saxony) the systematic influence exercised by territorial sovereigns on the church before the Reformation. The concept of church governance in the context of territorial government, established during the Modern Period, was borrowed.[56] Pre-Reformation church governance has now become established, not only in specialized monographs, but also in research into the

territory. He sees the decisive element in this claim to "princely superior authority" not as one particular right to exercise rule, but in the fact that the ruler was a member of the Estate of the Imperial princes. See Merz, 42–177.

53 See Sellin, 393–492.

54 *Landeshoheit* is a term used in the imperial legal writings of the seventeenth century (e.g., Seckendorff), and should therefore be used only in reference to that period. See Sellin, 402–405; Schubert, *Fürstliche Herrschaft,* 55–57; Merz, 11–22, 197. Dietmar Willoweit, who has traced the endeavors in the seventeenth century to formulate a juridical theory about *Landeshoheit,* relativizes the role of Roman law in this process. See Willoweit, *Rechtsgrundlagen.*

55 See Sellin, 362–368.

56 See Zieschang; Pallas, "Entstehung."

Middle Ages and the Early Modern Period.[57] Even Ernst Schubert, who has recently criticized its implications, finds it important as an agreed concept.[58]

It is only Protestant church historiography that continues to try to reserve this concept for the territorial churches of the Reformation. The *Theologische Realenzyklopädie* limits its use to cases in which "a constitutionally secured competence of the territorial sovereign for the church as the creation of the Word of God […] exists."[59] At the same time, an article by Hans-Walter Krumwiede admits that "territorial church governance" had already been "structurally prefigured in the late Middle Ages."[60] In order to counter the objection by church historians, Tobias Ulbrich has recently suggested that we should speak, in the case of the late Middle Ages, of "territorial dominance of the church [*Kirchenherrschaft*]."[61] Although this term does not seem to be unserviceable, it is important to consider whether the formation of a new concept brings more confusion than benefit. We must thus agree with Dieter Stievermann's demand that, instead of "disputing pointlessly about definitions," we should investigate the phenomenon itself more thoroughly in its various facets.[62]

In the course of the present study, the term "territorial church governance" will be operationalized as a guiding concept of church politics employed by German princes. It serves to subsume all the forms of government (*Herrschaft*)[63] that the territorial sovereign exercised vis-à-vis ecclesiastical institutions and clergymen. It stands for the totality of the various relationships of government between the late medieval territorial sovereign and the church in his territory. Church governance therefore belongs in the context of the expansion of territorial government toward the territorial state: the princely government brought one more partial sector of societal life under its

57 For the monographs, see, e.g., Rankl (already in the title); Stievermann, *Landesherrschaft,* 9, 157 f. For scholarship in general, see, e.g., Johanek, "Bischof," 102; Reinhard, *Probleme,* 211; Willoweit, "Landesherrschaft," 124, 129 f.; Wolgast, "Territorialfürsten," 409 f.

58 See Schubert, *Fürstliche Herrschaft,* 41. On his criticism, see above, Section 1.

59 Krumwiede, "Kirchenregiment," 59; a similar position has been taken recently by Wartenberg, "Glaube und Macht," 17.

60 Krumwiede, "Kirchenregiment," 59.

61 Ulbrich, 58–61.

62 Stievermann, *Landesherrschaft,* 157.

63 My starting point here is Max Weber's classic definition of *Herrschaft*: "*Herrschaft* means the opportunity to find in specifiable persons obedience for a command with a specific content" (Weber, *Wirtschaft und Gesellschaft,* 28, see also ibid., 122–176, 541–550). I try to apply this approach within the scholarly discussion of late medieval territorial government.

control. The comparison with Reformation church governance—a comparison that is always present, thanks to the history of the concepts involved—makes one thing particularly clear, namely, that the constitutional place of late medieval church governance often remained unclarified and in suspension. This is why it is just as important to ask how a territorial sovereign sought to communicate and legitimate his church governance as it is to investigate its genesis and structure.

In view of the Protestant traditions of Saxon regional history, it is scarcely surprising that Duke George's church governance has not yet been the object of a systematic investigation; indeed, this concept is rarely used by scholars. Karlheinz Blaschke says that George consciously "refused to govern the church as sovereign"; naturally, it is the Protestant variant that he has in mind.[64] A central aim of the present investigation is to supply this desideratum. The difficulties that scholars have experienced down to the present day in understanding pre-Reformation church governance are due to its character. We must investigate a large number of concrete individual measures rather than large-scale programs; our task is less to think through political theories than to grasp practical politics. We shall get a clear view of church government as an instrument of power only through a comprehensive analysis of the way it functioned, the groups of its bearers, and the mechanisms of its communication and implementation in the interplay between the territorial sovereign, the ecclesiastical hierarchy, and the clergy.

2.3 *Church Reform*

From an internal Christian perspective, the question of church reform lies in the field of tension between two absolute truths. On the one hand, there is the indestructible integrity of a community of faith to which Christ has promised his assistance for all ages; on the other hand, there is the inadequacy of the church as a man-made institution, an inadequacy that finds expression in the principle *Ecclesia semper reformanda.* All that a sociological investigation can grasp is the church as a phenomenon of human society. This means that it does not possess absolute—for example, theological—criteria for the description of its condition. Accordingly, it must receive information from outside its boundaries about central coordinates such as the ideal condition, the need for reform, and the possibilities of reform. That means that it must find its orientation in the ideas of those who lived at the time.

64 Blaschke, "Wechselwirkungen," 441.

At the close of the late Middle Ages, church reform was a highly topical theme.[65] In the age of the great reform councils of Constance and Basel, the demand for a *reformatio ecclesiae in capite et in membris* shows the concept of "reform" directly present in the sources.[66] Even after the failure of the conciliarist movement, it remained a leitmotiv of the age until the Reformation period.[67] There is a sharp divergence between the understanding at the close of the Middle Ages of what ecclesiastical or secular reform could achieve, and the concept of reform in our own days, when "reform" has become a term used in an inflationary manner in politics as the very embodiment of the political will to reshape society.

For the conservative worldview of the Middle Ages, which regarded the earthly order of things as God's creation, reform could not be an innovative (or an open-ended) process. It was conceivable only in close reference to the divine will. The principal demand addressed by the political activity of the mighty was the *conservatio* of that which existed. Only grave crises and blatant decadence had the power to make people think about *reformatio.* When this occurred, only two paths were open for reform: either the restitution of an earlier state of things that had fallen into decay, or the improvement of the existing state of things in a soteriological orientation to the *norma rectitudinis*, the ideal state of the creation that was posited by God, and that must therefore be deduced theologically.[68]

The conceptual pair, "head and members," shows us where the fifteenth century saw a need for church reform. From the worldly character of the curia via the system of benefices and the concubinate of the higher and lower clergy, to the discipline in the monasteries, the ecclesiastical hierarchy was criticized on all levels. Within the spectrum of reform endeavors, institutional reform played a central role in Constance and Basel.[69] Jean Gerson, the leading figure of the conciliarist reform, saw the ethical moral renewal of the individual as

65 For an introduction to the discussion of church reform in the fifteenth century, see Boockmann/Dormeier; Rapp, "Vielfalt"; Jedin, *Trient,* Vol. 1, 1–132; Miethke, "Kirchenreform"; also the essays in Hlaváček/Patschovsky. See also the titles cited in the following footnotes.

66 Thus, e.g., in the decree "*Haec sancta*" of the Council of Constance, April 6, 1415, quoted from Wolgast, "Reform," 321, n. 73.—Church reform had a permanent place on the official agenda of all the councils from the Fourth Lateran (1215) onwards. See Miethke, "Reform," col. 547.

67 On this, see ch. 3 and 4.

68 See Wolgast, "Reform," 316 f.; Miethke, "Reform," col. 543 f.; Janssen, "Gute Ordnung," 161 f.

69 See Wolgast, "Reform," 322.

the complement and supplement to the reform of institutions. Church reform was thus conceivable as a concrete measure that was to be implemented politically and administratively, but it also found expression in exhortatory appeals and in idealistic conceptions of formation and education. In their orientation toward the inner renewal of the individual, reform concepts such as the theology of piety (John of Paltz; Johannes Geiler of Kaysersberg) or Christian humanism (Erasmus of Rotterdam; Jakob Wimpfeling) increasingly took the church members, the laity, into account.[70]

The dimension of successful church reform was not a matter of dispute. Conciliarism had had its starting point in the idea of a centrally steered reform of the whole of Latin Christendom, but the conciliar failure to reform the entire church led, during the course of the century, to the acceptance of the view that even a "*reformatio particularis* […] *in multis statibus et religionibus*,"[71] that is to say, a reform that began in the local context and worked in a differentiated manner in keeping with the various branches of the ecclesiastical organization, could be a wholesome thing. This insight, which was maintained by figures such as the Dominican Johannes Nider, an enthusiast for reform, and Heinrich Tocke, Canon of Magdeburg, finally opened people's eyes to the reforming forces at work outside the ranks of the clergy.[72] Church reform was not only a matter for the clergy; it was the laity whose search for salvation moved them to act with increasing confidence, and who vehemently demanded reform. In the Empire, it was precisely the secular authorities, above all the territorial rulers, who more and more made church reform their concern after the 1439 Congress of Mainz.[73] Fifteenth century church reform was not a uniform process; rather, we can employ social categories such as papal-curial, religious-clerical, secular-clerical, humanistic, sovereign-territorial, and urban to classify its bearers and its concepts.[74]

Our interest in the present study focuses on the territorial ruler's commitment to reform. "Territorial church reform" designates the political activity of the prince and his office bearers aiming at a transformation of the state of the church, and also of the religious praxis of clergy and laity; this transformation

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70 On Paltz, see Hamm, *Frömmigkeitstheologie*; on Geiler, see Manger; Israel; on Christian humanism, see Augustijn, *Erasmus*; Rapp, *Réformes*; Spitz; Mertens; among older scholars: Hermelink; Joachimsen.

71 Johannes Nider, *Formicarius,* Cologne [1480], quoted from Helmrath, "Theorie und Praxis," 69 f.; on Nider's reform ideas, see also Jedin, *Trient,* Vol. 1, 111; Weinbrenner, 93–96, 145–151.

72 On Nider, see the previous footnote; on Tocke, see Boockmann/Dormeier, 225.

73 See Miethke, "Reform," col. 549. On reforms initiated by princes, see Part ch. 3.

74 This categorization follows Walsh, 412.

was understood subjectively as a return to a better state, or as an improvement. This reflects in equal measure both the institutional and individual aspects of the contemporary concept of reform. We must include the contemporary discussion of reform in general, and the Wettin "reform tradition" of the fifteenth century in particular, as the background to, and the presupposition for, Duke George's church politics. It is especially interesting to ask whether Duke George may have received concrete suggestions through his intensive correspondence with Erasmus of Rotterdam, or through contact with humanists and theologians at the university of Leipzig and at his court in Dresden.[75]

At the same time, we must keep in view the close link, in the thinking of people of the time, between the renewal of the church and the renewal of society as a whole. The parameters of church reform were certainly affected when the secular employment of the concept of *reformatio* underwent a "partial change of meaning" in the fifteenth and sixteenth centuries. It was only around the year 1500 that *reformatio* came to signify innovation, as a designation of new kinds of laws and ordinances with which cities and territorial sovereigns attempted to subject public life.[76]

2.4 *Strategies of Legitimation*

The expansion and the innovatory power of territorial church politics at the end of the Middle Ages raised the universal questions of how and whether it was possible to justify interventions in the church by the territorial sovereign. Modern scholarship is keenly interested in such questions, since its interest lies not primarily in the reconstruction of legal norms, but rather in the attempt to trace how government functioned as a societal praxis in dynamic processes of communication and interaction.[77] We can refer to Max Weber in speaking of the "legitimation" of government. Legitimation aims at the acknowledgement of political action as legitimate in the medieval sense; that is to say, in agreement with the righteous and just ordering of the world that comes from God.[78] The basic conservative tendency of society determined in advance the direction taken by every attempt at legitimation. In the language used in

75 See ch. 3 and 4.

76 Wolgast, "Reform," 324 f.

77 See Jussen, xiv–xvi; Rogge, "Praxis," 493–498.

78 See Würtenberger, 677–684. For fundamental reflections on the meaning of legitimation/legitimacy for the exercise of governance, see Weber, *Wirtschaft und Gesellschaft,* 16–20, 122–125; among recent medieval scholarship, see, e.g., Schreiner, "Legitimation"; Rogge, "Praxis."

the sources, "innovation" was "the absolutely negative concept of disvalue,"[79] which meant that an objectively new kind of politics had to appeal to ancient legal principles, especially since the idea that a legitimate government was entitled to lay down new law was only just beginning to develop.[80]

In the present study, we shall discuss the following building bricks of the strategies of legitimation of the territorial sovereign's church politics: legal institutions, legal theories, and legal fictions. These may originate in canon law, or have a secular origin. They must be examined both in their original content and in their concrete operationalization.[81] Legitimation, or the legitimacy that is thereby acquired, is not understood here as a necessary presupposition of political action (although this was doubtless often the case), but rather as an epiphenomenon of its employment. If there was an objective juridical or moral legitimacy to the action taken by the territorial ruler, it is irrelevant to our approach.

3 Sources

Many voices have been raised in recent years to request studies of Duke George, but there has been little investigation (especially in the last decades) of his church politics.[82] One reason for this were the unfavorable conditions of historical research in communist East Germany; another is the specific situation of the sources. The extent of the relevant surviving material becomes obvious as soon as we look at the edition of the *Akten und Briefe*, in two ample volumes, by Felician Gess, which presents 1,526 source texts, many of which run to several printed pages, and Gess's edition, which covers only the years from 1517 to 1527, one-fifth of the reign of Duke George.[83] The preliminary review of the continuation of Gess's work, which has now been initiated by the *Sächsische Akademie der Wissenschaften* and covers 1528 to 1539, lists a further 2,772 source texts. These are so extensive that it is planned to publish them only in the form of extended registers.[84] The present study has been able to

79 Janssen, "Gute Ordnung," 162.

80 See ibid., 162 f.; Hashagen, *Staat und Kirche,* 454.

81 For an overview of the present state of scholarly discussion and the questions that this generates for the present study, see ch. 3, section 4.

82 See Smolinsky, "Albertinisches Sachsen," 32; Wolgast, "Territorialfürsten," 410; Wolter, "Laienfürsten," 85.

83 Nr. 1–1525 and Additional Entry nr. 632a. See ABKG.

84 This work was completed in 2012. See ABKG.

draw on both these editions; however, there is scarcely any edited material from the pre-Reformation decades (1488–1516) that are the center of our interest, since, apart from a few exceptions, the standard territorial edition, the *Codex Diplomaticus Saxoniae* (*Regiae*), has not yet reached this period.[85]

This is why our investigation primarily has recourse to unprinted source material. The obvious place to begin a study of the sources of the politics of a prince of the Reformation period is the archive of the territorial sovereign, kept today in the *Sächsisches Hauptstaatsarchiv Dresden*. My research there was guided by the following working hypotheses: first, that the church politics of the territorial sovereign did not have one uniform addressee, but took place via communication with a plurality of circles of persons and institutions; and secondly, that there was no single office in the territorial sovereign's administration that specialized in this particular political field.[86] This necessitated not only the examination of preliminary studies in the history of administration,[87] but also the review of all the surviving documents and records from the relevant period. In the case of the Dresden Archive, this was made more difficult by the classification by subject matter from the early nineteenth century that destroys the organic structure of the old registry.[88]

In addition to the surviving documents that are preserved in chronological order in the inventory "10001, Ältere Urkunden," the review concentrated on two groups of inventories that document the reign of Duke George. The first is the surviving records of the Court Council, the central political decision-making

85 The most relevant material in this context would be the first main part, "Urkunden der Markgrafen von Meißen und Landgrafen von Thüringen," which, however, only covers the period up to 1427. The same is true of the municipal registers of documents that predominate the second main part; these break off with the Treaty of Leipzig in 1485. It is only the document registers of ecclesiastical institutions that give a lot of information, since they were compiled up to the dissolution of these institutions in the Reformation. This applies in particular to the document register of the diocesan territory of Meissen and to the sections about monasteries in the municipal document registers of Meissen, Dresden and Pirna, Leipzig and Freiburg. A third main part, which will present the papal documents, is still in preparation. See Werner, "Codex"; CDS, II, Vols. 1–5; 9; 12.—I do not supply details here of the other editions that I have used, which are only partially relevant. On this, see the section "Published Sources" in the bibliography.

86 See p. 96–99.

87 See Volkmar, "Hofrat" (with further bibliography), and p. 93–117.

88 For an overview of the holdings of this archive, see Förster. In coming years, research possibilities will continue to improve thanks to a coverage of the data bank by the archive software AUGIAS.

body of the territorial sovereign.[89] This was later incorporated into the registry of the Privy Council, which was founded in 1547 ("10024, Geheimer Rat [Geheimes Archiv]"). It contains sources in a great variety of genres: mandates by the territorial sovereign, reports of visitations, records of negotiations with bishops and prelates, and also petitions from subjects, reports by procurators at the curia, and correspondence with civil servants, parish priests, and officials. Although individual documents may be lengthy, the survival of the material, taken as a whole, can only be regarded as fragmentary.

This is why the inventory "10004, Kopiale" plays a central role in the registration and evaluation of the whole spectrum of Albertine church politics: these are the registers of letters sent out by the Court Council. They have survived almost without gaps from the reign of Duke George, thus enabling a systematic overview of government activity. In terms of archival sciences, these cartularies can be characterized as missive books[90] from the chancellery. They are registers of documents, either in draft or finished form. Their value is that they enable us to read documents, letters, and records that otherwise would have largely been lost.[91]

Missive books were first used in the Wettin chancellery in 1471. Regarding the Albertine part of the country, their line begins with "Kopial No. 105" from 1494/95.[92] Although only this volume survives from the years of Duke George's regency (1488–1500), the cartularies for the period from August 1500 to April 1504, and then continuously from 1508, survive with no gaps. A total of fifty-nine volumes, comprising approximately 9,000 pages, passed down to us from his reign (1488–1539), containing roughly 30,000 missives.[93] To take two examples, the percentage of missives relevant to church politics has been calculated at 15.7 percent for the years 1494/95, and 11.7 percent for the years 1503/05.[94] Since the register of the cartularies that the Dresden archivist G. L. Cramer

89 See Volkmar, "Hofrat" (with further bibliography), and Part I, III, 2a below.

90 This term is derived from the Latin *missivum* (= missive). According to a definition by Heinrich Otto Meisner, they contain "[…] the texts that were written and actually sent out from a chancellery, without any distinction of rank" (Meisner, *Urkunden- und Aktenlehre,* 175.

91 See Meisner, *Aktenkunde,* 54–56, 126–166.

92 On the missive books in the Saxon chancelleries, see Goldfriedrich, 70–73, 85–111; Hofmann, 254–273; Schirmer, "Herrschaftspraxis," 313–321; Volkmar, "Hofrat," 85.

93 See SächsHStA Dresden, Findbuch Kopiale, ed. Horst Schlechte, 1951, Ms. Extrapolating on the basis of the evaluation of Cop. 109, which contains 281 missive entries on 88 pages, we assume a factor of ca. 3.2 missives per page. See Cop. 109.

94 Evaluation of Cop. 105 (133 of ca. 848 entries) and Cop. 109 (33 of 281 entries). If one broadens the selection to include all the missives that refer to ecclesiastical persons, the percentage for Cop. 109 (1503/04) is 20.6 %.

drew up perished in flames when Dresden was bombed in February 1945,[95] it was necessary to sift through the missive books in serial order.

In order to shed light on Albertine church politics from the opposite perspective, I looked beyond the Dresden material for a parallel tradition *ex altera parte*. Firstly, I consulted the archives of the bishops of the dioceses of Meissen, Merseburg, and Naumburg; however, the dissolution of the central German sees during the Reformation meant that only a very fragmentary tradition survives. I also consulted material from the *Ernestinisches Gesamtarchiv* at the *Thüringisches Hauptstaatsarchiv Weimar*, and the *Hessisches Staatsarchiv Marburg*, as an adversarial tradition *ex altera parte*. In the context of this study, Vatican sources, which were evaluated in a synoptic procedure together with the local tradition in the *Hauptstaatsarchiv* in Dresden, aided in the reconstruction of Duke George's church politics vis-à-vis the Roman curia. Since the relevant collections of sources, such as the *Repertorium Germanicum*, have not yet reached pre-Reformation, this investigation made use of the unprinted material in the *Archivio Segreto Vaticano* and the *Bibliotheca Apostolica Vaticana*.[96]

Finally, it is impossible to assess the effect of George's church politics on society without looking at various forms of public and symbolic communication. In addition to printed mandates, we must mention semi-official pamphlets that are preserved in the special collections of the *Universitätsbibliothek Leipzig* and the *Sächsische Landes- und Universitätsbibliothek Dresden*. Government and sacral architecture, such as the Georgenbau or the church of Saint Anne in Annaberg, with their image programs, must be read as sources, in the same way as the reports of public symbolic dramatic stagings, such as the celebration in Meissen in 1524 of the canonization of the new Saint Benno of Meissen.[97]

An especially critical evaluation of the sources is required when dealing with the cartularies, which are the most important source for a systematic

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95 See SächsHStA Dresden, Findbuch Kopiale, ed. Horst Schlechte, 1951, Ms.

96 On the importance of the Vatican material for regional history, see Schwarz, "Nutzen"; Bünz, "Thüringen und Rom"; Brosius.—With the publication of Vol. 5 in 2004, the Repertorium Germanicum now covers the entire period from 1378 to 1471 with no gaps. The pontificate of Sixtus IV is now being studied. See Repertorium Germanicum; for the most recent introduction to his central register, see Bünz, "Thüringen und Rom"; Schwarz, "Repertorium"; Idem, "Klerikerkarrieren."

97 For an introduction to the interpretation of public and symbolic communication, see Althoff, "Bedeutung"; also the essays in the following collections: Althoff, *Öffentliche Kommunikation*; Hruza, *Propaganda*; and the following individual studies: Lentz, *Konflikt*; Rubin; Eisermann, "Typographie"; Idem, "Blätter"; with particular reference to the Reformation; Scribner, *Simple Folk*; Idem, *Popular Culture*; Karant-Nunn, *Reformation of Ritual*. For bibliography on pamphlets and on the structure of the public arena before and during the Reformation, see p. 417 n. 2 and p. 560, n. 3.

investigation of Duke George's church politics. The greatest advantage of this group of sources is that it presents the principal problem of source criticism: the missive books give us insight into an enormous number of cases, covering practically the entire governmental administrative activity of the Court Council and present an inexhaustible wealth of detail,[98] but, since they consist of a chronological compilation of registers of letters, they only offer highlights; they do not supply us with a genetically grown body of records. There is also no material *ex altera parte*, whether from the clergy (bishops, officials, abbots, parish priests) or from local secular office-bearers or vassals (city councillors, civil servants, or aristocrats subordinate to the territorial ruler). In very many cases, the missives are the only surviving information about a course of action.

I attempted to tackle the problem of a tradition consisting only of highlights by undertaking a synoptic study of all the available sources, although it can happen, especially after the subdivision of the cartularies into several series after 1508, that the tradition concerning one particular course of action is found in several volumes. The tradition in the missives was regularly compared with the registers of the territorial government. In fortunate instances, this gave more precise insights, because the registers usually also contained remnants of answers in the form of letters to the Dresden court. It was possible only in a few instances to complete the basis of our sources through discoveries from other archives.

The lack of an alternative tradition to the cartularies also poses a serious methodological problem, since, where no reactions have survived, the consequences of governmental activity by the territorial sovereign remain vague. The *narratio* of the territorial sovereign's missives can compensate for this to a certain extent, since statements by the correspondent are often quoted verbatim. This means that when we have several letters about one and the same course of action, we can deduce the reaction by the other party that binds these letters together. When the territorial sovereign's activity was successful, there are no more missives, as they were not required. It would, however, be methodologically questionable to infer *ex nihilo* a success. Often enough, all we can do is restrict ourselves to identifying the intentions and methods of the territorial sovereign's activity and leave open the question of success, or assess it cautiously with recourse to well-documented exemplary cases.

The richness of the material transmitted in the cartularies also contains the risk of a one-sided analysis. The evaluation of the missives almost inevitably leads to an over-emphasis of the perspective of the territorial ruler, which determined the admonitions, regulations, and reforms. We know very little about the reactions and positions of the other parties such as the bishops, parish

98 On this, from the perspective of the Habsburg tradition, see Eibl, "Uferlose Fülle."

priests, and subjects. These persons were not simply at the mercy of the territorial ruler's claim to rule; they could meet this claim with various elastic strategies of action, such as dragging their feet, deceit, and mimicry. All we can do is to note this, and keep it in mind when we look critically at the sources. It is possible only in individual cases to bring alive as acting subjects the local actors who were the "objects" of the territorial sovereign's government, so that we can grasp reform and change as processes of the interaction between the ruler and the ruled.[99] Where this succeeds—as in the market for benefices, the reconstruction of the transalpine networks of the Saxon procurators at the curia, and the maneuverings of the parish clergy between the superior authorities of church and state—it can supply an urgently needed corrective.

These considerations mean that we shall pursue a two-stage method in dealing with the cartularies. First of all, the breadth of the tradition serves as a basis for presenting the entire spectrum of the territorial ruler's church politics. The investigation then concentrates on the "thick description" of individual exemplary cases that are especially well documented, that is to say, on the synchronous discussion of empirical data and of the specific structures of meaning that are connected with these data, in order to identify patterns of perception and action, as well as solution-based strategies of the territorial ruler's church politics.[100] We shall be reluctant, however, to carry out a quantitative statistical evaluation of the missive books, since this approach seems unhelpful in identifying emphases in the sphere of political conceptions.[101]

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99 A good example is Freitag, *Pfarrer*; as a methodological requirement for research into the Catholic reform, Jendorff, 27–29. Like many other suggestions, this too goes back to Ernst Walter Zeeden. See Zeeden, "Grundlagen," 80–91.

100 The term "thick description" comes from the American ethnologist Clifford Geertz, who developed this methodology on the basis of Max Weber's "understanding sociology." See Geertz; Weber, "Verstehende Soziologie."

101 An exemplary qualitative evaluation of the percentage of political church references in the total number of missives was presented above (see n. 94). However, the validity of quantitative findings seems doubtful (and, at worst, misleading) with reference to the substantial aspects of church politics. It would indeed be possible to determine whether the privy council dealt more frequently with monasteries or with parishes. But does this really tell us anything about the more important questions: From Duke George's perspective, which area of church reform was the most important? What is the relationship between quality and quantity? Has a lengthy petition to the pope, which takes up fundamental questions of church reform, the same informational content or significance as the hundredth standardized warning to an ecclesiastical judge not to misuse excommunication? On the possibilities of a quantitative evaluation of missive books, see also Volkmar, "Hofrat."

PART 1

Church Governance and Catholic Reform before the Reformation (*1488–ca. 1521*)

CHAPTER 3

Church Politics of German Princes in the Late Medieval Empire

1 General Presuppositions

The pre-Reformation church politics of the German princes developed in the field of tension between developments that were *prima facie* contradictory. The most important presupposition was the epochal crisis of the European church around the year 1400. The Western Schism (1378–1415) shook Latin Christendom to its very foundations by calling into question its unity in the papacy. When the Council of Constance ended the schism, this merely opened the door to the next fundamental conflict, the struggle for supremacy in the church between conciliarism and the reform papacy in Rome. In the competition for recognition as the central ecclesiastical authority, which first raged between Rome and Avignon and then between the pope and the councils, the various parties sought the support of kings and princes. This found expression in a flood of privileges and concessions that were intended to buy the adherence of the rulers—and of their subjects. The existential threat posed by conciliarism also increased the readiness of the popes to prune back the bishops' rights to exercise ecclesiastical supervision, in favor of the claims put forward by secular princes.[1]

A second central factor was the rise of the German territories. The expansion of late medieval territorial sovereignty attained a new dynamic at the end of the fifteenth century. In many places, the bases of the early modern territorial state were laid. The consolidation of innumerable individual rights to form a new quality of united sovereignty over a land created the intellectual and structural framework for an increased influence by territorial rulers over the churches in their realms.[2]

The third presupposition stems from the discussion of church reform in the fifteenth century. Thanks to the reform councils of Constance and Basel,

1 See Hashagen, *Staat und Kirche,* 67–115; Stieber; on the example of Bavaria: Rankl, 3–82; on the example of Württemberg: Stievermann, *Landesherrschaft.*

2 See p. 32–36.

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the secular princes of the Empire were very much interested in this topic.[3] Reform-minded members of the clergy and humanist circles repeatedly urged them to intervene,[4] and the princes of secular territories were also motivated by the consciousness, rooted in religion, that they were responsible for the well-being of the land and for the salvation of their subjects' souls. This motivated them—unlike the majority of the prince bishops[5]—to become important bearers of church reform as early as in the fifteenth century.[6]

2 Regional Factors

The lack of a panoramic comparative presentation of the church politics of German princes in the late Middle Ages is keenly felt by scholars.[7] For the time being, we must have recourse to Justus Hashagen's synthesis from 1931.[8] We can go beyond this only by attempting an overview in the form of theses, based on case studies from various parts of the Empire.[9] We cannot take account

3 See Brandmüller; Helmrath, *Basler Konzil*; Stieber; Miethke, "Kirchenreform"; Gordon, "Conciliarism"; and the essays in Hlaváček/Patschovsky.

4 A good example is the exhortation to church reform that the ducal confessor, Johann of Indersdorf, addressed to Duke Albrecht III of Bavaria-Munich in the mid-fifteenth century. He demanded that the prince "be not only concerned with secular matters, but also with spiritual matters in his land [...], that he promote and restore the praise of God" (quoted from Rankl, 260).

5 On the situation in ecclesiastical territories before and during the early Reformation, and on their scanty significance for Catholic church reform, see Wolgast, *Hochstift*; Schindling, "Reichskirche"; Brady, "Bishops"; Merz; Breul-Kunkel, *Fulda und Hersfeld.* However, for a positive example of the monastic reforms in Electoral Cologne, see Neidinger, "Erzbischöfe"; on the example of Mainz: Jendorff, 35–60.

6 See Hashagen, *Staat und Kirche*; Rankl; Willoweit, "Landesherrschaft"; Schulze, *Fürsten*; Wolgast, "Territorialfürsten"; on the example of the Wettins, see ch. 4.

7 This has recently been emphasized by Johannes Merz: see Merz, 82 with n. 201.

8 See Hashagen, *Staat und Kirche.*

9 On Brandenburg, see Priebatsch; Hennig, *Kirchenpolitik*; Escher; Kurze, "Mittelalter," 80–90; on Pomerania, see Bütow; Naendrup-Reimann, 131–135; Wiegand, *Diözesansynoden,* 231–233; on Hessen, see Heinemeyer, "Territorium"; Rudersdorf, "Hessen," 258–261; Breul-Kunkel, "Klosterreform"; Schilling, *Klöster und Mönche*; on the Electoral Palatinate, see Lossen; on Jülich-Berg, see Redlich, *Kirchenpolitik*; Janssen, "Gute Ordnung"; on Württemberg, see Stievermann, *Landesherrschaft*; Wülk/Funk; on Bavaria, see Rankl; on Austria, see Srbik; Koller; Hofmeister; Strnad, *Dynast und Kirche*; on smaller territories and lordships, see Neumaier; Konersmann.—References to pre-Reformation church governance can also be found in many of the essays in Schindling/Ziegler.

of the special situation of the *Germania sacra* here, because there are so few studies of the church politics of imperial bishops.[10] All we can do, therefore, is to sketch a horizon before which the most important phenomena and trajectories of development appear. This provides us, in the manner of comparative regional history, with a starting point for the investigation of Duke George's church politics, and with parameters for its classification.

In the late Middle Ages, the relationship to the church was one of the areas in which the crown lost the initiative of political activity as territorial authorities took over. Ecclesiastical and secular Estates in the empire conducted church politics of their own, and even local bearers of authority (territorial cities, the lower aristocracy) had considerable autonomy in forming relationships with ecclesiastical institutions. The development in imperial cities already displays a large number of problems that became important for the territories. Like the prince in the territories, the council in the imperial city increasingly understood itself as a secular authority that claimed to govern every aspect of municipal life. The clergy's privileges of immunity (exemption from taxation, special courts for the clergy, economic activity by the clergy) and the special status of ecclesiastical assets were incompatible with the council's vision of a united municipal community. During difficult struggles, the burghers gained far-reaching rights of supervision of ecclesiastical assets, limiting the handing over of property to the "dead hand," and integrating clergy into the municipal structure as subjects under the authority of the council. But the council exercised control not only in economic and legal matters, but also in the spiritual sphere. In its concern for the salvation of the burghers' souls, and on the basis of its understanding of the municipal community as a sacred association, the council not only influenced appointments through its rights of patronage, but also attempted to reform the way of life of the clergy and to ensure the pastoral care of the people.[11]

Outside the cities, and with regard to the secular Estates in the Empire, we can observe considerable differences both in the intensity of church politics and in the claims that were made about its regulation. It is clear that there was a direct link between the degree of development of a territorial government and the articulation of church governance. The church politics of the territorial sovereigns achieved greatest effectiveness precisely in large and cohesive territories such as Brandenburg, Pomerania, Saxony, Hessen, the Palatinate, Jülich-Cleve-Berg, Württemberg, Bavaria, and the Austrian Hapsburg lands.

10 See most recently Merz, 185–187. See also the works referred to in n. 5 above.

11 See Moeller, *Reichsstadt und Reformation*; Bünz, "Klerus und Bürger"; Heitzenröder; Volkmar, "Pfarrei"; a new case study offers Gössner.

On the other hand, even smaller imperial Estates such as the Counts of Hohenlohe endeavored with some resourcefulness to integrate the clergy into their sphere of rule. It has been shown that even some free imperial knights in Franconia took the first steps towards church governance.[12] The counts of Hohenlohe sought to bind their parish priests and canons to them by means of priestly oaths in which they not only charged the clergymen to observe their residential obligation and celibacy, but also demanded that they renounce recourse to the ecclesiastical court under the bishop of Würzburg. The formulae, which were conceived on the model of secular feudal oaths, refer to the idea of a benefice as a spiritual fief. This shows continuities of the system of proprietary churches in the Early and High Middle Ages, which was in conflict with canon law;[13] however, the limitations of the counts' church governance can be seen in their inability to extend their claim to exercise authority beyond the churches where they themselves were patrons. They did not succeed in encompassing all the lower clergy in the county.[14] The counts of Stolberg in the Harz region were unable to develop any church governance, probably because the consolidation of their secular government had not moved beyond the initial stages, but this did not inhibit their commitment to church reform, which found expression, for example, in the requirement that the priests they appointed to the parish of Stolberg, where they held the advowson, should have a certain standard of education, or in their purchase of a papal privilege of visitation for the monastery of Ilfeld.[15]

It is clear that the size of a territory and the stage of development of its territorial government were important parameters for the articulation of church governance. Relationships to the bishops were also influencing factors. As the traditional possessors of disciplinary power in the church, the local bishops inevitably became the most important adversaries of the new claim by secular authorities to govern the church, but the extent to which this opposition could be effective depended very strongly on regional power relations. One extreme example is the *Neusiedelland* east of the Elbe where the bishops were so subordinate that they were neither interested in, nor capable of, politics directed

12 See Neumaier; another small territory in which the beginnings of a late medieval church governance has been identified is the duchy of Palatinate-Zweibrücken. See Konersmann, 73–139.

13 On this, see section 4, below.

14 See Neumaier.

15 See Schubert, "Harzgrafen," 54–60.

against the princes of Pomerania, Brandenburg, or Saxony.[16] In the western *Altsiedelland*, on the other hand, there was an independent and self-aware imperial episcopate, and the secular princes had to engage in power politics against these bishops if they were to enforce their claims to authority over the church. This structural difference is seldom as immediately identifiable as in the case of the policy of Albrecht Achilles, the Elector of Brandenburg, with regard to the Turkish tax. He encountered no significant difficulties in enforcing this tax on the clergy in 1481/82 in the Märkish dioceses that were de facto subordinate to him, but he was unable to overcome the opposition by the prince bishops of Würzburg and Bamberg in the Franconian parts of his territories, and his image suffered considerable damage during the public confrontation about the legal rights of his church governance.[17]

In order to prevail over the imperial bishops, the princes needed the ally whose support Albrecht Achilles had lost through his undiplomatic behavior: the papacy. The dukes of Cleves were able to exploit the division of the church during the period of the schism and the council of Basel to obtain, in return for declaring their adherence (first to Avignon, then to Rome), the papal exemption of their territories from the ecclesiastical jurisdiction of the "schismatic" archbishop of Cologne.[18] Similarly, the landgraves of Hessen, in whose territories the archbishop of Mainz exercised ecclesiastical jurisdiction, sought the support of the pope. For the house of Brabant, the conflict with the archbishop's ecclesiastical court system in Hessen was a part of a political power struggle for survival, since the metropolite of Mainz, the noblest prince of the Empire, was the most important competitor of the Hessian territorial government in the sphere of territorial politics. The imperial bishops of the fifteenth century deliberately employed their ecclesiastical jurisdictions as weapons in the struggle to realign the boundaries of government.[19] In alliance with the pope, the landgraves sought to reduce and territorialize the ecclesiastical system of justice and even planned to establish a territorial bishopric in Kassel, but the archbishops of Mainz proved to be powerful adversaries. They made clever use of dynastic weak phases of the Brabant dynasty, and prevented

16 See Wiegand, *Diözesansynoden,* 231–233; Bütow; Priebatsch, Vol. 20, 159–185.—Bishop Johann VI of Meissen is merely an exception that confirms the rule: see Engel, "Passio"; Merz, 84–89, 208–210; Priebatsch, Vol. 20, 360–365.

17 On the Frankish conflict about priests' taxes, see Engel, "Passio"; Merz, 84–89, 208–210; Priebatsch, Vol. 20, 360–365.

18 This, however, was only a temporary success. See Redlich, *Kirchenpolitik,* Vol. 1, 8*f.

19 See Merz, 183–187.

Hessian church politics from having anything more than partial success until the time of the Reformation.[20]

Only a few princes managed to achieve a lasting integration into their hegemonial system of imperial bishops who held office in the territories they ruled. The most successful in the west was perhaps the Electoral Palatinate against Worms and Speyer. As an alternative, many princes pursued the plan of elevating the collegiate chapters in their capitals to (territorial) bishoprics with the aid of the pope. Only Emperor Friedrich III succeeded in intervening in the ecclesiastical structures in such a far-reaching manner, when he founded the miniature bishoprics (confined to the city boundaries) of Vienna and Wiener Neustadt in 1468/69. In Bavaria, otherwise so successful, a similar plan for Munich came to nothing.[21]

A territorial understanding of church politics is occasionally hinted at in the princes' plans.[22] Elector Albrecht Achilles even tried to get the pope to change the diocesan circumscriptions so that they would coincide with the boundaries of his territory. He also attempted to justify his church governance vis-à-vis the curia based on the principle that that which lay *in territorio* must also be *de territorio*. As in the past, however, the territorial sovereigns attempted to exercise government via personal relationships. This led Albrecht Achilles to envisage the alternative variant of bringing all those who were subject to his territorial government under the ecclesiastical jurisdiction of the three Märkish bishops.[23] The final option for the princes in the *Altsiedelland* was personally connecting the imperial dioceses to their own dynasties. In the south, the Wittelsbach and Habsburg dynasties repeatedly fought vigorous campaigns over appointments to the vacant imperial sees of Salzburg, Passau, Freising, and Regensburg. Here, the requirements of the territorial sovereigns'

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20 See Rudersdorf, "Hessen," 258–261; Heinemeyer, "Territorium"; Schilling, *Klöster und Mönche,* 50–55. As late as 1516, Cardinal Albrecht attempted to get the government of the regent, Countess Anna, which was weakened by conflicts with the Estates, to make concessions regarding the question of ecclesiastical jurisdiction.

21 See Lossen; Koller, 112–177; Rankl, 83–139.—The Austrian dukes in the thirteenth and fourteenth centuries had already sought the erection of a local bishopric in Vienna. See Strnad, "Libertas Ecclesiae," 177–180.

22 On the discussion (closely linked to the question of the formation of the territorial state) of the territorialization of church politics, where earlier scholars went so far as to speak of pre-Reformation "territorial state churches," see the summary in Stievermann, *Landesherrschaft,* 157f. On the situation in the Albertine territory, see p. 438–446.

23 See Priebatsch, Vol. 19, 426, and Vol. 20, 172, 364.

church governance overlapped with the political power struggle between the two major territorial powers in southern Germany.[24]

Finally, the importance of personal rule in the constitutional reality of the late Middle Ages suggests that we should see individual princes as influencing factors with regard to the horizon, goals, and intensity of the territorial sovereign's church governance.[25] Felix Priebatsch has contrasted Friedrich II, Elector of Brandenburg, with Albrecht Achilles, and shown that the personalities of rulers resulted in varied influences on church politics.[26] Duke Wilhelm IV of Jülich-Berg and Albrecht V of Austria are further examples of rulers whose energetic personal commitment determined the character of church politics in their territories and created presuppositions on which their successors were able to build.[27]

3 Levels of Action

The present study employs a heuristic model of levels of action in order to get a full picture of territorial church politics.[28] It appears meaningful to employ this model for a reappraisal of the state of research with regard to the other territories of the Empire too. In principle, one can adduce comparative examples of all the levels of George's church politics from other territories, and we shall return continually to concrete parallels. Despite the variety of its bearers, pre-Reformation church politics of German princes is a remarkably homogeneous phenomenon. This, of course, is merely a preliminary observation; a systematic review and comparison of church politics in various territories would have to be the object of a large-scale coordinated project of comparative regional history. The investigation of the diplomatic and personal contacts among the territories would also have its place within the framework of such a study, since it is striking to note that goals and procedures often resemble each other down to points of detail, and that papal privileges were acquired almost

24 See Koller, 112–177; Strnad, "Libertas Ecclesiae"; Rankl, 83–139.

25 On this, see ch. 5 (taking the example of Duke George and with comparative bibliography).

26 See Priebatsch, Vol. 19, 397–430. We find another example of the variety of church political positions generated by personal piety in Württemberg, in Count Eberhard im Bart and his successor, Duke Ulrich. See Stievermann, *Landesherrschaft,* 288.

27 See Redlich, *Kirchenpolitik,* Vol. 1, 100*f.; Koller.

28 See p. 26–29.

simultaneously in various territories.[29] Moreover, a socio-historical analysis of groups who supported and implemented these church politics—privy councillors, officials, members of the clergy—has scarcely been attempted up to now.

As indicated above, scholars have traditionally paid particular attention to princely influence in the dioceses and cathedral chapters, as well as to the disputes over the jurisdiction of the ecclesiastical courts. In both cases, scholars naturally looked into contacts with Rome, but this was often done superficially with an eye to important privileges, and not always with an adequate understanding of the parameters of the system under which papal favors were dispensed. Monasteries have also been well studied, but little attention has been paid hitherto to the lower clergy and laity; indeed, the latter have rarely been perceived as constituting an independent field of territorial church politics. Finally, nothing in earlier works corresponds to the levels of "the Empire" and "printing and the public" that are explored in this study, although one can point to scattered attestations of these phenomena in many territories.

3.1 *The Curia*

Relations with the curia formed an indispensable foundation for territorial church politics. Only the pope could bestow privileges on princes that made it possible to neutralize canon law and the authority of the episcopal office. Justus Hashagen speaks of the "curialism of territorial church politics."[30] A competition for wider reaching papal favors broke out among the German princes in the fifteenth century. The Saxon Elector Friedrich the Gentle explicitly ordered his emissaries to the papal diet of princes in Mantua in 1459 to find out what privileges the other princes had recently received from Rome, and to make an immediate request to the pope to be granted the same ones.[31] Bavaria

29 I refer the reader to the princely concordats of 1445/47 (see Stieber) and to the example of the Council of the Princes in Mantua, mentioned below.—Another example is the use of papal privileges to carry out monastic reform. In 1485 the Wettins obtained such a privilege—which charged several bishops with the reform of all the monasteries, not in their own dioceses, but in the territory of a prince—for the bishops of Meissen and Merseburg (see the bull of Pope Innocent VIII, Rome, March 12, 1485, CDS, II, Vol. 3, 270); six years later, the Brandenburg Hohenzollerns obtained the same privilege for the bishops of Brandenburg, Havelberg, and Lebus in their territory. Two generations earlier, in the space of a few years and in the south of the Empire, Bavaria (1441, from the Council of Basel) and Emperor Friedrich III (1447, for the Austrian hereditary lands) had obtained the same privileges. See Rankl, 189f.; Stievermann, *Landesherrschaft,* 74; Hashagen, *Staat und Kirche,* 341; Kurze, "Mittelalter," 86.

30 Hashagen, *Staat und Kirche,* 67.

31 See Weber, Introduction.

probably exploited its links to Rome better than any other territory. The house of Wittelsbach had a permanent procurator at the Holy See from an early date. Not only did the Bavarian dukes construct their diocesan politics on the basis of papal support, they also regularly sent lists of wishes to Rome for large-scale provisions to benefices, which they were able to use to make appointments to the most important canonries and parishes in their territories, bypassing those who ordinarily had the right of collation.[32] Elector Friedrich II of Brandenburg achieved the highest goal of many territorial sovereigns, namely, the right to nominate the bishops in his own territory.[33] Up until now, however, very little has been known about the basic conditions under which the princes operated with regard to Rome.[34] These include the perspectives of the curia on the territories, the relative importance of princely petitions in the day-to-day activities of the curia, the role of the procurators and their interactions with the personal networks at the curia, and the praxis and the financing of the procurators' business. These questions will receive special attention in the present study.

3.2 *Bishops and Cathedral Chapters*

The central importance of the dioceses in establishing territorial church governance has already been set out. Although this is one of the best investigated aspects of church politics, there is disagreement on some controversial points. There is no consensus about the extent to which the eastern German dioceses were integrated into the territories.[35] The importance of the cathedral chapters for territorial church politics is due to their function as the body that elected the bishop. They also attracted attention, like the collegiate churches, because of their canonries, which were able to provide a living for qualified personnel. As benefices *sine cura*, that is to say, as prebends that were not linked to pastoral care (and often carried no residential obligation), the canonries were a much-cited bridge between the church and the world.[36] They offered ideal possibilities for supplying salaries to the clergy working in the chancelleries and council chambers of the territorial administration. This allows us to see the self-interest of princely church politics, which used ecclesiastical resources to finance the consolidation of the prince's government. This procedure is well

32 See Rankl, 3–82.

33 This, however, applied only to his person; it was not renewed. See Priebatsch, Vol. 19, 164.

34 There are only some comments on this in Rankl, 3–82; Stievermann, *Landesherrschaft,* 127–144; Koller, 112–177.—On the scholarly literature about the curia and its relationship with the Empire, see ch. 6.

35 See Hahn; for a response to Hahn's theses, see Ahrens.

36 See Bünz, "Domkapitel" (with details of the extensive scholarly literature).

documented in the cases of Bavaria and Brandenburg, where wealthy city parishes, that is to say, prebends connected with pastoral care, were used in the same way.[37] The systematic redesignation of church benefices also played a decisive role in the endowment of the new regional universities, for example, in Tübingen in 1477 and Frankfurt an der Oder in 1506, but this had already occurred in Leipzig in 1409.[38]

3.3 *The Ecclesiastical Court System*

In the course of extending their regional rule, the late-medieval princes encountered in the sphere of legal jurisdiction the presence of functioning and comprehensive ecclesiastical structures such as the ecclesiastical court system of the bishops, archdeacons, and judges delegated by the pope. The activity of the ecclesiastical courts was a thorn in the flesh of the late medieval princes, and it is not difficult to discern the reason for this: those who held secular jurisdiction regarded officials such as bishops and archdeacons as serious competitors who posed a threat to the leading positions and incomes of the secular territorial government, since canon law allowed ecclesiastical judges to take on secular disputes and church courts made ample use of this possibility. Their efficiency made them popular with the people.[39]

Scholars often see the clash with the ecclesiastical court system as the most important field of church politics because the question of jurisdiction touched a basic right of territorial government.[40] Territorial rulers aimed to restrict the competence of the ecclesiastical courts to purely ecclesiastical disputes. They also sought to define those with jurisdiction over their subjects as (lower) ecclesiastical authorities within the sphere of their own rule in order to deprive bishops from outside their territories of a means of exerting pressure, since ecclesiastical penalties such as excommunication and interdiction were immensely feared. During this struggle, the weapons used by princes were papal privileges (*de non evocandis subditis*) and territorial law codes, as well as direct pressure on ecclesiastical judges and parish clergy, who were responsible for public proclamations of summonses and excommunications. The example of Hessen, cited above, is typical of the mixed results attained by the princes: even the bishops in eastern Germany, widely integrated into the territory, were

37 See Priebatsch, Vol. 19, 405, Vol. 20, 342f.; Rankl, 228–250.

38 See Stievermann, *Landesherrschaft,* 147f.; Priebatsch, Vol. 20, 342. On the canonries attached to the University of Leipzig, see most recently, Cottin, "Universitätskanonikate," or (taking a concrete case study) Cottin/Kusche.

39 See the works cited in ch. 9, section 1.

40 See, e.g., Redlich, *Kirchenpolitik,* Vol. 1, 2*.

scarcely willing to make fundamental concessions on questions of the ecclesiastical court system.[41]

3.4 *The Regular Clergy*

The politics regarding monasteries have been investigated with great thoroughness, both from the perspective of church governance and as a sphere of activity for church reform. In many territories, such as Württemberg and Hessen, the territorial governance of the monasteries was based on individual rights of stewardship and protection, which the princes systematically increased until these rights—"taken hold of by the process of melting down, or indeed of leveling down, to territorial sovereignty"[42]—turned into an authority over all the monasteries in the territory. The initiative taken by princes regarding monastic reform was directly connected to this claim to rule.[43]

The pre-Reformation monastic politics of the German princes were concerned with church renewal: to quote Bernhard Neidiger, "Monasteries were reformed in the fifteenth century primarily for religious reasons."[44] The reform impetus of the princes was characterized by piety, the territorial ruler's self-understanding as protector of the church, and by personal contacts to leading members of the orders. Further factors were the intensified claim to territorial sovereignty and fiscal considerations, but these never became dominant. A dense interweaving of religious and secular motives determined territorial politics in this field, as in others.[45] As laymen, the princes were keenly aware of the socio-political role of monasticism. They promoted monastic reform in order to re-establish monastic discipline and thus make it possible for monasteries to assume their religious function as bearers of the dynastic *memoria* and as intercessors for the territory.[46] Everywhere in the Empire secular lords were not only promoters but leading initiators of monastic reform.[47] It is characteristic of the position of power held by the princes that even prince bishops

41 See Mikat, 264–309; Hashagen, "Charakteristik"; case studies: Redlich, *Kirchenpolitik,* Vol. 1, 1*–121*; Heinemeyer, "Territorium," 144–153; Hofmeister, 257–264; Rankl, 147–150; Priebatsch, Vol. 20, 348–359.—For the Saxon example of Saxony, see p. 74–76; for further bibliography, see ch. 9.

42 Heinemyer, "Territorium," 152.

43 See ibid.; Stievermann, *Landesherrschaft,* 15–39, 261–290.

44 Neidinger, "Erzbischöfe," 74.

45 See Hashagen, *Staat und Kirche,* 567.

46 See Schulze, *Fürsten*; Hashagen, *Staat und Kirche,* 339–370.

47 For Bavaria, see Rankl; for Austria, see Hofmeister; for Württemberg, see Stievermann, *Landesherrschaft*; for Hessen, see Heinemeyer, "Territorium"; Schilling, *Klöster und Mönche*; Breul-Kunkel, "Klosterreform"; for the Lower-Rhenish duchies, see Redlich,

who favored reform, such as the archbishop of Cologne, succeeded in implementing monastic reform only in the area directly subject to their secular rule (the *Hochstift*)—that is to say, where they could act not only as bishops, but also as lords.[48]

3.5 *The Lower Clergy*

Research on church politics in the field of the lower clergy—parish priests, preachers, curates, and chantry priests—has scarcely begun, but it is here that there opens up a central sphere of the pre-Reformation church, since the network of parishes, spread over the whole territory, was the most important zone of contact between the church and the world.[49]

Historians regularly identify rights of patronage as a fundamental basis of church governance. The—exceptional—example of Württemberg is well known: at the close of the Middle Ages, 50 percent of the patronages to parishes and chantries lay in the hands of the count. Here, as in Bavaria, a systematic accumulation of patronage rights has been described as a princely strategy of government. These rights gave the territorial rulers not only influence on the appointments to benefices, but also the rights of supervision of worldly goods; indeed, in Württemberg, a tithe was imposed upon these goods, to be paid to the ducal chest.[50] However, it seems that the territorial lords were interested not so much in the norms of canon law, as in an interpretation of the patronage in terms of feudal law.[51] Since far from all the princes had such extensive rights of patronage at their disposal, other claims to rule in the field of the lower clergy also played a role in church governance. In Jülich-Berg, the duke exploited his position of power to take care of his own candidates using the right of appointment that belonged to monasteries and collegiate churches that lay in his realm. He also imposed taxes on the lower clergy as a whole, while at the same time obligating himself to act as their protector in legal disputes.[52]

It is the fully developed church governance that we can observe in Bavaria, Jülich-Berg, and Württemberg that understood the supervision and reform of the lower clergy as a task incumbent upon the territorial lord, even outside the limits of his own patronage. The primary goal of reform politics was to ensure

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Kirchenpolitik, Vol. 1, 89*–97*; Neidiger, "Erzbischöfe"; for Brandenburg, see Priebatsch; Escher.

48 See Neidinger, "Erzbischöfe," 75.

49 See the bibliographical overview in p. 277, n. 1.

50 See Stievermann, *Landesherrschaft,* 150–155; Rankl, 229–239.

51 On this point, see Stievermann, *Landesherrschaft,* 153.

52 See Redlich, *Kirchenpolitik,* Vol. 1, 44*, 104*–109*

the spiritual welfare of the people by providing masses and the sacraments. Evidence from Württemberg and Bavaria attests that the prince often reacted directly to complaints from his subjects. The claim by princes to the right to issue regulations was attained by means of disciplining office holders and shifting the interventions of prebends into the proper spiritual-cultic sphere as was the case when the Electors of Brandenburg issued regulations about processions in Berlin and Cölln. They were also interested in the conduct of life, as the action taken against concubinage in Jülich-Berg shows.[53]

In all these fields of action, territorial church governance was in direct competition with the bishops' rights to supervision. Helmut Rankl speaks explicitly of "episcopal functions" that were taken over by the territorial sovereign.[54] The present study will use the example of Saxony to investigate how far the princes were able to prevail against the bishops, whether there were forms of collaboration and, above all, what legal claims the princes appealed to.

3.6 *The Laity*

Scholars up to now have paid scant attention to the intervention of the princes in the religious lives of their subjects. We have to look back more than one hundred years to find Otto R. Redlich devoting a specific section of his study to the discussion of the "supervision of church life, religiosity, and morality."[55] The emphasis of territorial politics, vis-à-vis the laity, was on reform. He felt obliged, thanks to his responsibility for the common good and the well-being of his subjects, to enforce religious norms of conduct, since it was only thus that people could have access to the path of salvation for their souls, the ultimate goal of human existence. There was also a second religious motivation, namely, fear of the punishment that God would inflict on every society that offended against the divine ordering of things.[56]

Both these motivations are mentioned explicitly in the religious political passages of the local regulations and edicts that were promulgated during the fifteenth century and linked by the emerging territorial state to the new kind of claim in order to enforce "a good rule," that is to say, to regulate every sphere of public life. Particular attention has been paid to this development in the Early

53 See Priebatsch, Vol. 20, 346; Rankl, 260–268; Redlich, *Kirchenpolitik,* Vol. 1, 97*–114*; Stievermann, *Landesherrschaft,* 154f.

54 Rankl, 266.

55 Redlich, *Kirchenpolitik,* Vol. 1, 114*–118*. The example of Jülich-Berg has recently been taken up and developed by Wilhelm Janssen. See Janssen, "Gute Ordnung."

56 See ibid., 165–168.

Modern period under the heading "social disciplinization."[57] In the west of the Empire, the dukes of Jülich-Berg issued a regulation in 1491 and a territorial law code in 1525 for the purpose of reforming the laity and the lower clergy.[58] The law code that regulated the judiciary in Hessen in 1455 contained passages about gambling for money, and an ordinance for Kassel, the capital, contained regulations by the landgrave concerning marriage, baptisms, and weddings as early as 1423.[59] The first law code for Württemberg in 1485 enacted penalties for gambling and blasphemy. Duke Ludwig of Bavaria-Landshut issued a mandate in 1463 against blasphemy, usury, adultery, and concubinage. By agreement with the bishop of Freising, this was read aloud from church pulpits.[60]

One special feature of the lay reform in Jülich-Berg was the collaboration between the territorial sovereign and the lower level of the ecclesiastical hierarchy, the *Landdechanten* and the synodal courts over which they presided. In 1491 Duke Wilhelm ordered them to take judicial proceedings against transgressions found in the conduct of clergy and laity, and offered the aid of his officials to back up any required sanctions.[61] This is direct evidence that the princes themselves saw the reform of the laity in the context of ecclesiastical disciplinization, and that they devoted themselves to this task, in a certain sense, as substitutes for the bishops. It was possible to derive this right from the idea of emergency law found in the two-powers theory, which (as mentioned above) remained centrally important for Luther and Protestant church governance.

This brief panorama of territorial church politics in the pre-Reformation Empire has shown two central principles on every level: the emergence of church governance in the territories, and the princes' commitment to church reform. A deepened understanding of church politics as a whole would be necessary in order to investigate the inherent connection between these two aspects. As a provisional result, the investigations of monastic reforms in Württemberg and Bavaria indicate that church governance and church reform often went hand in hand.[62] The church politics of Elector Albrecht Achilles, however, offer a corrective to this view, since the tremendous emphasis on his claims to govern the clergy was accompanied by a striking lack of interest in questions of church reform.[63] Both church governance and church reform

57 On this, see ch. 12, section 4.

58 See Redlich, *Kirchenpolitik,* Vol. 1, 114*f.; Janssen, "Gute Ordnung," 164–167.

59 See Heinemeyer, "Territorium," 153.

60 See Stievermann, *Landesherrschaft,* 148f.; Rankl, 268.

61 See Redlich, *Kirchenpolitik,* Vol. 1, 115*–118*

62 See Stievermann, *Landesherrschaft*; Rankl, 169–227, 272.

63 See Priebatsch, Vol. 19, 420–430.

raise with equal urgency the question of the legitimation of the territorial rulers' interventions.

4 Strategies of Legitimation

A specific and extraordinarily complex scholarly discussion has developed with regard to the question of the legitimacy and the legitimation of the actions taken by the territorial lords. For a long time the answer was sought in canon law, since the common view was that, as a consequence of the papal triumph during the investiture conflict, canon law had been able to defeat the old Germanic system of proprietary churches (*Eigenkirchen*), and had become consolidated as the standard source of law thanks to the academic systematization in the twelfth and thirteenth centuries.[64] Earlier scholars were quick to identify the titles of stewardship (over monasteries and collegiate churches) and patronage (over the lower clergy) in canon law as the roots of church governance. It can, in fact, be shown that in some territories the princes deliberately acquired and accumulated these rights, but as soon as one looks at the matter more closely, it becomes clear that at the close of the Middle Ages the German princes had transcended the powers granted by canon law to those holding stewardships and patronages. It was difficult for historians to grasp how this had happened, and what law had justified it. The question as to how the extensive pre-Reformation church governance had been able to develop from these narrowly circumscribed legal titles was asked early on, but no truly satisfactory answer was arrived at, since it was impossible to harmonize the reference to the new law of territorial sovereignty (which we find very frequently in the sources)[65] with the norms of canon law.[66]

Scholars paid all the more attention to a second source of law, namely, papal privileges, which suspended canon law by means of their exceptional regulations. In particular, they provided leverage for territorial pressure on the bishops and the ecclesiastical court system. As Felix Priebatsch already noted, these privileges did not, in principle, create a new legal situation, since the curia was very careful to ensure that the exceptions did not permanently

64 The *Corpus Iuris Canonici* is accessible in the standard edition by Friedberg. For an introduction, see Feine, Vol. 1, 241–391.

65 This is found most strikingly in the argumentation of Margrave Albrecht Achilles in the Frankish conflict over the taxation of priests: that which lies *in territorio* must also be *de territorio*. See Priebatsch, Vol. 20, 364.

66 See, e.g., Zieschang; Priebatsch.—On the orientation of older scholarship, see also Stievermann, *Landesherrschaft,* 30f.

neutralize canon law. Priebatsch's conclusion is typical of the state of research in the early twentieth century: "the territorial church […], despite all external successes, suffered from its internal uncertainty," because "despite all this [i.e., the papal privileges], the outcome was not a genuine law."[67]

Justus Hashagen's synthesis has given the discussion a new direction. He emphasizes that the influence exercised by the territorial sovereign was "not only usurpation, nor only a concession granted by the highest ecclesiastical authority more or less in contradiction of canon law"; rather, "it possessed in itself a kind of legal justification, which may have consisted in legal theories, but also […] in generally recognized legal institutions." This is why we must also look for sources of church governance by territorial sovereigns beyond the legal sphere that many studies regard as vital.[68] Hashagen, writing from the perspective of the history of ideas, points above all to the two-powers theory, which he sees as generating both a subsidiary emergency law and a spiritual quality attached to every secular prince (as the intermediate head of the *Corpus Christianum*, realized in the idea of the *Advocatus ecclesiae*). He also mentions the reception of Roman law.[69]

Hashagen could appeal to a tradition of research into legal history in order to support his new position. No less a scholar than Ulrich Stutz, followed by Hans Erich Feine, pointed out that not only institutions of canon law, but also secular ideas about law must be regarded as legal sources of church governance.[70] One such idea can be found in so-called ecclesiastical feudal sovereignty, a legal position that regarded the prebend as a "spiritual fief" to which, based on the analogy of secular feudal law, the feudal superior retained far-reaching rights. We see here remnants of the proprietary church system of the High Middle Ages, which Stutz had studied, especially in the case of parish churches.[71] He found that although the introduction of canon law with regard to patronage, associated with Pope Alexander III (1159–1181), had placed ecclesiastical investiture in the hands of the church, the old concept of proprietary churches was able to remain in force under the new title, especially in the lower ecclesiastical sphere. The societal praxis of legal life led to a complex development. While the papacy concentrated on the diocesan level in its

67 Priebatsch, Vol. 20, 363f.

68 Hashagen, *Staat und Kirche,* 431f.

69 See ibid., 433–454, 564f.—However, Justus Hashagen is unable to present any evidence of a reception of Roman law; he assumes that humanist reformers such as Jakob Wimpfeling must have been the bearers of this reception. Gerda Koller likewise presents no concrete evidence. See Koller, 43.

70 See Feine, Vol. 1, 435, 442f.

71 See Stutz.

struggle against royal rights, the aristocracy simply adopted the new concept of patronage from canon law in the lower ecclesiastical sphere, but gave it a specific "proprietary church character" in relation to temporal goods.[72]

Where more recent scholars have taken up this approach, it has proved especially fruitful when complemented by social-historical or prosopographical methods and applied to the investigation of the legal praxis of church governance.[73] Dieter Stievermann was able to develop this approach by means of the example of monastic politics in Württemberg. Accordingly, scholars today assume that territorial church politics operated in the interface between two equal ranking and competing legal spheres. There is an immense qualitative difference between ecclesiastical and secular law. Canon law existed in a fixed written form, but in the secular sphere, despite some codifications, laws existed mostly in verbal form, such as customary law.[74] This had drastic consequences for source criticism, since the availability of canon law predetermined its preferential reception in historical analysis, thereby distorting the picture.[75]

This is why Stievermann argues that we should deduce the constitutional reality of late medieval church politics from the exegesis of secondary legal sources, especially from documents and records that reflect actual governmental praxis.[76] The example of Württemberg shows the great influence that secular legal ideas had on territorial church politics when dealing with ostensibly ecclesiastical legal institutions such as patronage, stewardship, and visitation.[77] Besides this, principles of law relating to the aristocracy made their way into the praxis of church governance, such as when conflicts were resolved with the help of arbitrators. At the same time, the social-historical perspective makes us aware that both legal circles were present, over and above the specific groups of their bearers, in the church as well as in territorial government. Universities and learned clergymen in the prince's service contributed to the

72 Ulrich Stutz, here quoted from Hashagen, *Staat und Kirche,* 458. On the general situation, see ibid., 457–462; Stievermann, *Landesherrschaft,* 15–39, 150f.—On the canonical right of advowson, see Landau, *Ius Patronatus*; Sieglerschmidt.

73 See Rankl, 228–260; Stievermann, *Landesherrschaft*; Ulrich; Neumaier. Not yet in Koller.

74 On the effect of oral and written forms of transmission on the content of that which is transmitted, see the fundamental work by Assmann.

75 See Stievermann, *Landesherrschaft,* 29–39.

76 In terms of methodology, of course, the problem arises here that the praxis of church governance is elevated to the expression of a legal norm.

77 Here, we must ask how far the academic discipline of canon law succeeded in overcoming the private church praxis of the high Middle Ages that lay behind patronage and stewardship, and in integrating these two institutions into canon law. See Stievermann, *Landesherrschaft,* 32f.

knowledge of canon law in the territorial administration, while secular law influenced ideas about law held by aristocratic members of the higher clergy.[78]

It was precisely the overlapping of the two spheres of law that created scope for action in territorial church politics for, where one law clashed with another, "power must have the decisive weight." In this way, the superior political potential of the territorial government could impose its will completely on the local church, especially since the papacy—unlike the situation in the High Middle Ages during the struggle to achieve the *libertas ecclesiae*—was moved by secondary political interests to support the princes, and punctured the defense positions of the bishops in canon law by means of bulls and briefs.[79]

Against this background, the question of the practical implementation of the church-political ideas of the territorial government can be posed afresh in the present study. We must pay particular attention to the role played by strategies of legitimation. In principle, we must note that it was always possible to choose between cooperation and confrontation. The example set by territories such as Württemberg and Bavaria, which were successful in the field of church politics, suggests that the territorial authorities did all they could to avoid a direct confrontation with the clergy. Instead, they relied on the formation of a consensus as the basis of their politics. Personal networking was one successful strategy. Concerns arising over canon law could be curbed by employing high-ranking clergymen as key actors in territorial church politics; an arbitration commission that was to be active in ecclesiastical matters could be made up of prelates. Papal privileges and formulations that were deliberately ambiguous also helped to paper over the gulf between the differing understandings of law.[80] Legitimation from below could come from petitions by communities in the territory that asked the territorial lord to regulate their ecclesiastical affairs.[81] Finally, the general consensus about the necessity of church reform could bestow additional legitimacy on the reform politics of German princes, especially when the politics were recommended to both clergy and laity based on sustainability and successes in praxis.

From what we have said, it follows that our investigation into the strategies of legitimation in Duke George's church politics must proceed as follows: Since there are no relevant preliminary studies on the object of the present study, we must first take up anew the questions of constitutional history raised by earlier scholars; in other words, we must determine the extent to which the church

78 See ibid.

79 See ibid., 34–39, quotation at 34.

80 See ibid., 35–39, 220–234, 251–289.

81 See Rankl, 266.

politics of Duke George drew on the canonical legal institutions of patronage and stewardship. Taking up the insights of more recent scholarship, we must go on to investigate whether stewardship and patronage were "topped up" with contents drawn from secular law, making use of "developable remnants of the proprietary church system."[82] Secular legal institutions, legal principles, and legal fictions that were employed to legitimate church politics are also of interest. We must discuss the existence of a new, leveling quality in the prince's claim to rule. Finally, our attention must turn from theoretical legal questions to political reality. In this context, we are interested above all in the role of strategies of legitimation and techniques of rule that built a consensus.

82 See Hashagen, *Staat und Kirche,* 455.

CHAPTER 4

The Wettin Tradition of Reform

Like their fellow noblemen in other parts of the Empire, the Wettin princes extended their church governance in the late Middle Ages. Favorable general conditions, such as the weak position of the bishops in central Germany, allowed the Wettins to establish such a strong influence on the church that Saxony had a leading role in this area on the eve of the Reformation, along with territories such as Bavaria, Württemberg, Jülich-Berg, and the Habsburg lands.[1]

However, Saxon church politics before the Reformation were not restricted to church governance as an instrument of government, which we shall investigate more closely below. In the course of the fifteenth century, several Wettins deliberately used their influence on the church to posit political accents in the urgent contemporary question of church reform. The beginning of a continuous reform of politics is linked to the name of Duke Wilhelm III (1445–1482). In 1446, in close collaboration with the Estates of the Thuringian section of the territory, which he ruled, he issued a code of law that contained detailed regulations for the reform of ecclesiastical courts, monasteries, secular clergy, and the laity.[2] Six years later, moved by the exhortations of John of Capestrano, the Franciscan preacher of repentance, he published a further mandate for the reform of the laity, which was followed in 1454 by the so-called *Reformatio Wilhelmi*, an edict for the reform of the secular and ecclesiastical court systems.[3] Although Wilhelm was not the first Wettin to take action in favor of church reform, his laws elevated commitment to reform to a new height because it was the first time that the various levels—the ecclesiastical court system, regular clergy, lower clergy, and the laity—had been treated together under one code of law so that church reform could be recognized as a unity, a comprehensive reform of the entire church in his own territory. The territorial reference of Wettin church politics became obvious when the pope granted Wilhelm's request for the introduction of the feast of the Presentation of the Blessed Virgin Mary to take place within the ducal territory

1 See Bünz/Volkmar, "Kirchenregiment."

2 See the Thuringian law code of Duke Wilhelm III, Weissensee, January 9, 1446, Müller, *Reichstagstheatrum Maximilian,* Vol. 2, 86–95.

3 Wilhelm's church politics have been well researched. See Wintruff, 34–81; ABKG, Vol. 1, XXI–LXVI; Pallas, "Entstehung," 141–143; Schulze, *Fürsten,* 46–55, 67–80; on the 1452 mandate about morals, see also Bast, 178–185.

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in 1464, thereby implicitly declaring the territory to be an ecclesiastical entity.[4] Wilhelm's church politics established the close link between commitment to reform and church governance. His heirs, the princely brothers Elector Ernst and Duke Albrecht, continued along the path he had begun. For their successors, Elector Friedrich the Wise and Duke George the Bearded, the successive extension of the Wettin church governance and the territorial sovereign's commitment to reform were already tried and tested patterns of political action.

Initially, of course, the territorial church governance was far from embodying unified governmental relationships between the territorial sovereign and *the* church of *the* territory. At most, it was a distant goal, since the constitutional plurality of the late medieval church stood in its way. An account of the development of Wettin church governance must do justice to this fact and look individually at the various levels of the church with their specific problems, legal structures, and possibilities of exercising influence.

1 The Curia

For Saxony, as elsewhere, the wave of church-political privileges for the territorial princes began with the Great Schism.[5] It was to his fidelity to the Roman pope that Margrave Wilhelm I owed the exemption of the diocese of Meissen from the metropolitan province of Magdeburg and from the authority of the archbishop of Prague as papal legate in 1399; this enabled the Wettins to prevail in the lengthy struggle against the Luxembourgers for supremacy in the diocese.[6] At the same time, the pope granted the Wettin margrave the right to nominate faithful *zelatores* to the next four canonries in the Meissen chapter that would fall vacant.[7] The third favor was important in the long term: in 1401, Boniface IX bestowed a *Privilegium de non evocandis subditis*, which forbade the summonsing of Wettin subjects before ecclesiastical courts outside the territory, and thereby strengthened the legal jurisdiction of territorial courts.

Twenty years later, Friedrich the Quarrelsome earned the curia's favor through his military campaigns against the Hussites. He received three privileges

4 See Wintruff, 81.—On the problem of territorialization, see also Mikat, 308 f.

5 On what follows, see Zieschang, 26–46; Streich, "Bistümer," 53–72; id., *Hof,* 26–49; Rogge, "Bischof und Domkapitel," 185–199.

6 On the discrepancy between the political instrumentalization of this privilege by the Wettins and its *de facto* limited substance in canon law, see now Schwarz, "Exemtion" (correcting previous research into regional history).

7 Bull of Pope Boniface IX, Rome, December 12, 1399, CDS, II, Vol. 2, 285 f.

in 1421/22, including further rights of presentation to the Meissen chapter. The next generation of princes profited from the conflict between Pope Eugene IV and the Council of Basel. In the first place, the nine years of neutrality on the part of the German territory in the conflict concerning the recognition of the highest ecclesiastical authority strengthened the idea that the princes had a responsibility for church order in their territories; this finds expression in the declaration of neutrality at the Electoral Diet in Frankfurt in 1438. Secondly, when the Estates finally declared their submission to the pope, they once again were recompensed with privileges. The Wettins met with little success here. They did indeed receive the right to nominate the bishops of the three Saxon dioceses, but only from the conciliar Pope Felix V, who subsequently lost out.

The curia's support for the Wettins was the result of an alliance of convenience that was motivated, on the papal side, by considerations of foreign policy and finance, while the Wettins were interested above all in the extension of their territorial sovereignty. The Saxon princes' devotion to the papacy had clear limits, as we see in the rejection of Roman campaigns to sell indulgences and in the question of policy with regard to Bohemia after the 1459 about turn in the Peace of Eger.[8] Nevertheless, the Wettins had achieved a great deal by the end of the century. They owed their dominant influence on the nominations to the cathedral chapter in Meissen to the popes, as well as their privileges in favor of monastic reform and against the ecclesiastical court system.

2 Bishops and Cathedral Chapters

The church governance by the Wettin dynasty began with an endeavor to bring the bishops under control. The territories confronted powerful and independent imperial bishops in the west of the Empire,[9] but the princes in the east succeeded in subordinating the local bishops to their territorial rule. Initially, however, this was only a consolidation of territorial rule, which did not call into question the spiritual competencies of the bishops. It became significant for church governance only when the princes began to enforce their ideas about church reform with the help of the episcopal authority, even against resistance on the part of the bishops.

The bishops of Meissen, Merseburg, and Naumburg were brought under the control of the Wettins in several stages in the course of the fourteenth and

8 See ABKG, Vol. 1, LXVII–LXXI; Ermisch.

9 See ch. 3.

fifteenth centuries.[10] As in secular politics, the integration under the territorial government took place via the merging of numerous individual rights into a new perception of the power relationship. Initially, Saxon bishops bestowed fiefs on the Wettins, receiving military protection in return. For example, a document from 1337 states that Bishop Withego I of Meissen gave Margrave Friedrich the city of Dresden in fief, receiving in return protection and help.[11] Several generations later, when the fiefs were regarded as hereditary, concrete services from the bishop were added, in return for protection. Finally, in the fifteenth century, the Wettins claimed a hereditary protectorate over the dioceses and began to treat the bishops' temporal domains (*Hochstift*) and the subjects who lived there as a part of their own territorial government. One expression of this integration was the bishops' obligation to serve in times of war and to attend the territorial Diet. The subjects of the *Hochstift* were subject to taxation by the Wettins and to the laws they promulgated (for example, in coin policy), although the bishops transmitted Wettin mandates in their own names to their subjects. The princes occasionally intervened directly in the relationship of the bishops to their subjects; for example, in disputes between the bishop of Naumburg and his episcopal city in the first years of the sixteenth century. We must thus agree with Albrecht Lobeck's summary: "The Saxon princes ruled the *Hochstift* through the bishops, so to speak."[12]

The status of the bishops as Estates of the Empire was nothing more than a formality in the fifteenth century; they were represented by the Wettins at Imperial Diets and in imperial matters such as providing soldiers or imperial taxation. As early as the late fourteenth century, the Wettin chancellery counted the bishops among the dynasts, the noblest group of the regional Estates within the Wettin territorial league. One consequence of this was that they were also mentioned in the partition treaties, for example in the Leipzig Partition of 1485, which awarded Naumburg to the Ernestines and Merseburg to the Albertines, while both lines were to exercise a joint protectorate over the diocese of Meissen. Outsiders too perceived the bishops as vassals of the Wettins. In the eyes of the papal chancellery, the diocese of Meissen already lay *sub temporali dominio ipsius marchionis* at the time of its exemption in 1399.[13]

10 On this point and on what follows, see Zieschang, 1–149; Goerlitz, 228–279; Helbig, *Ständestaat,* 356–367; Höss, "Problematik," 352–362; Naendrup-Reimann, 164–169; Streich, "Bistümer," 53–72; taking Meissen as an example: Lobeck, 22–45; taking Naumburg as an example: Wiessner, Vol. 1, 199–203.

11 See the charter of Margrave Friedrich the Serious, Pegau, April 3, 1337, CDS, II, Vol. 1, 344.

12 Lobeck, 29.

13 Bull of Pope Boniface IX, Rome, December 12, 1399, CDS, II, Vol. 2, 284 f.

One final important precondition for the continuous expansion of the dependence was the Wettins' influence on the elections of the bishops. It is true that they did not succeed in getting Rome to confirm their right to nominate all three bishops, which the conciliar Pope Felix V had granted them in 1443, but the strength of the Wettin party in the cathedral chapters and the fact that most of the candidates for the episcopate came from the Saxon gentry ensured that, in general, the beliefs of those who were chosen were in accordance with Wettin wishes.[14]

The influence of the Wettins on the Saxon cathedral chapters fluctuated in strength. In Naumburg and Merseburg, it was only in 1485 that they were able to appoint two prebends to each cathedral; two other prebends were reserved for the sustenance of professors in Leipzig, and the university itself nominated these canons. But the informal influence of the Wettins was, of course, more extensive, because many cathedral canons were recruited from dynasties of the Saxon gentry, and thus from families that belonged to the group of Wettin clients.[15] Accordingly, the Wettin procurement of a bull from Pope Sixtus IV in 1476 that proclaimed that members of the three Saxon cathedral chapters must be drawn from the aristocracy can be regarded as an indirect means of safeguarding their own rule.[16] In Meissen, thanks to a number of papal privileges, the Wettins had by 1481 amassed the rights of nomination to all the canonries and prelacies, with the exception of the two prebends that were incorporated into the university of Leipzig. As the prince's party in the diocese, the cathedral canons in Meissen were significant supporters of Wettin church politics.[17]

3 The Ecclesiastical Court System

We can distinguish two distinct strategies that German princes adopted in their conflict with the ecclesiastical court system. The first scheme aimed at a fundamental curtailment of the ecclesiastical court system, above all in relation to secular disputes, and sought to achieve this either by means of papal privileges or through negotiations with the bishops. The second strategy was

14 See Zieschang, 107–149; Lobeck, 29–33.

15 For greater detail, see ch. 8, section 3.

16 Aristocratic descent for four generations had to be demonstrated; the customary alternative was a doctoral degree. See the bull of Pope Sixtus IV, Rome, June 9, 1476, CDS, II, Vol. 3, 238–240.

17 See Zieschang, 139 f.; Lobeck, 30, n. 45; Rogge, "Bischof und Domkapitel," 182–206; Cottin, "Universitätskanonikate."—See also ch. 8, section 3.

the attempt to establish a measure of control over the administration of justice by the officials. In the first case, the aim was to reduce the active presence of the church in society; in the second case, there was an increase in the influence of secular power over the church in princely church governance.

In the late Middle Ages, the Wettins pursued both strategies. A papal bull obtained by Friedrich the Quarrelsome in 1421 abolished the competence of ecclesiastical courts in specific secular cases (conflicts about secular money, movable goods, and real estate). Furthermore, it imposed a restriction on these courts.[18] Duke Friedrich the Peaceable, who reigned in Thuringia (1407–1440), attempted by means of direct negotiations with the bishops in the 1430s to limit the scope of ecclesiastical courts. It was only a military defeat that moved the bishop of Halberstadt to make concessions by treaty in 1439. The Wettins made similar treaties with the archbishops of Mainz and Magdeburg in 1436 and 1449 respectively.[19]

A first step in the direction of control over the ecclesiastical court system was the *Privilegium de non evocandis subditis* mentioned above. This forbade the summons of the ruler's subjects before foreign ecclesiastical courts located outside his territory. The importance of this legal title, especially with regard to territorial sovereignty, is underlined by its repeated confirmations in 1421, 1476, and 1505. It provided an ecclesiastical complement to the royal privileges *de non evocando/appellando* and raised—at least in theory—the territory of the sovereign to a self-contained jurisdiction.[20] The spatial proximity to the officials was clearly an important precondition for the exercise of an informal influence by the prince on the ecclesiastical courts—why else would Margrave Wilhelm I have petitioned for a papal bull to prevent the relocation of the Meissen official from Meissen to Stolpen?[21]

The direction to be taken by the Wettins in their endeavor to get direct influence over the ecclesiastical court system was established in the mid-fifteenth century by Duke Wilhelm III, in his Thuringian law code of 1446 and his court rules entitled *Reformatio Wilhelmi* from 1454 to 1457. The territorial rulers attempted, by means of direct pressure on those who held office in the church courts and on those who had recourse to them, to obtain what they could not

18 This bull was confirmed in 1481. See Zieschang, 32; Lück, 70; Mikat, 285.

19 See Wintruff, 10–20; Diestelkamp, "Geistliche Gerichtsbarkeit," 214 f.; Lück, 70–75; Schulze, *Fürsten,* 70–80.

20 See Zieschang, 30–32, 42; Lück, 70; Naendrup-Reimann, 167 f.

21 Bull of Pope Innocence VII, Rome, June 9, 1405, CDS, II, Vol. 2, 321 f. On the context—the conflict between the Luxembourgers and the Wettins about the hegemony in the diocese of Meissen—see Streich, *Hof,* 35–47.

get through negotiations with the bishops. Wilhelm threatened the parish priests of his territory by saying that he would block the incomes they derived from their benefices if they published in church the summonses or sanctions of ecclesiastical courts in secular disputes. He also pursued laypersons who brought secular cases before the church court with fines and the immediate loss of their legal rights.[22]

4 The Regular Clergy

The cornerstones of Wettin monastic politics fit into the Empire-wide development that we have outlined above. One fundamental trait was the support of strict observance, a movement that worked within religious orders to bring them back to a strict interpretation of the rule.[23] Once again, it was the law code of Wilhelm III (1446) that had a programmatic character, with its demand that "all the religious monasteries in our territories be reformed and brought back to an honest spiritual governance, each one in accordance with the constitutions and rules of its order."[24] Wilhelm III supported the Benedictine reform of the Bursfeld congregation, and issued a rule of life for the commandery of the Knights of St. John at Weissensee.[25] Like his successors, however, he concentrated primarily on the reform of the mendicant orders. In all three orders, observants had begun to organize their houses in independent congregations that were subject, not to the provincial superior, but to the observant vicars. This led to parallel structures within the orders, with direct competition between the conventuals and observants. At the request of the observants, the princes intervened. In virtue of their higher authority as territorial sovereigns, they detached individual monasteries from the provincial structure and entrusted them to the vicars. This meant *de facto* the introduction of strict observance. They appealed to papal privileges that supported the observants in their reform, although these privileges did not, of course, envisage any participation by secular authority. This legally questionable action moved the conventuals to protest and led to protracted court actions at the curia. These legal actions did not succeed in dissuading the Saxon princes from taking the side of the observants. Andreas Proles, vicar general of the Augustinian Hermits from 1461

22 See Wintruff, 34–81. Other princes in the Empire also made use of this form of disrupting the ecclesiastical court system in secular disputes. See Mikat, 283.

23 For an introduction, see Elm, "Reform- und Observanzbestrebungen."

24 Thuringian law code of Wilhelm III, 1446 (like n. 2), at 87.

25 See Schulze, *Fürsten,* 55–66.

to 1503 (with some intermissions), is a good example of a leader of the observant movement who carried out the reform of his order with the protection and aid of the Wettins. The congregation of the observant Augustinians originally comprised only four monasteries in Saxony, but Proles extended it to an Empire-wide association of twenty-two reformed houses.[26]

Besides the support of the strict observance, the most important instrument of reform was the visitation of the monasteries, because this made it possible to reach the totality of monastic life, including communities of women. A direct visitation by the secular authority was inconceivable, at least as an action legitimated by canon law; however, papal privileges made it possible to transfer the right to carry out visitations, originally reserved for bishops or religious superiors, to prelates who were close to the territorial lord and who were accompanied by secular counselors. The sphere in which such privileges were applied made it clear who ultimately had the *ius visitandi et reformandi*, because it violated the diocesan boundaries and was oriented to the territories of the princes. Bulls of this kind were obtained by Duke Albrecht III of Bavaria in 1441, by Emperor Friedrich III for his hereditary lands in 1447, and by the Electors of Brandenburg in 1491.[27] Elector Ernst and Duke Albrecht obtained the same result in the year of the Leipzig Partition: Pope Innocent VIII granted their request and entrusted the bishops of Meissen and Merseburg with the visitation of both the exempt and the non-exempt monasteries in the Wettin territories.[28] The Saxon dynasty had already made use of the episcopal right of visitation at an earlier date. In 1463 to 1464, they commissioned Bishop Dietrich of Meissen to carry out the visitation of monasteries in his diocese. The fact that, in 1483, Ernst and Albrecht's request that Bishop Dietrich of Naumburg accept their charge to visit the convents of nuns in the Thuringian part of the realm because they themselves were "prevented by much other business incumbent upon us," shows how they ultimately saw the visitation of monasteries as a right of their own.[29]

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26 See ibid., 80–111; Weinbrenner, 124–135 (with a helpful consideration of alternative paths of reform); ABKG, Vol. 1, XXI–LII; Kirn, 89–106; Werner, "Landesherr"; also: Kunzelmann, Vol. 5; from the alternative perspective of the Provincial Minister of the conventuals, Matthias Döring; see Weigel.

27 See p. 58 n. 29.

28 See the bull of Pope Innocent VIII, Rome, March 12, 13485, CDS, II, Vol. 3, 270 (where it is incorrectly dated to 1484). The exempt knightly and mendicant orders were the exception. See also Gess, Klostervistationen; ABKG, Vol. 1, XXI–LII.

29 Charter of Elector Ernst and Duke Albrecht, Weimar, March 13, 1483, Reinhard, *Meditationes,* 130 f.; see Schulze, *Fürsten,* 129–133.

5 The Lower Clergy

This field of action of church politics comes into view for the first time in the Thuringian law code of 1446. Duke Wilhelm demanded "that the attitude and conduct of the secular priests should be priestly and godly." He saw it as his task to hand over unworthy priests for punishment by the church courts. The supervision of the lower clergy by the secular government is defined here as an informal support (and control) of the church's disciplinary authority, which, thanks to the *privilegium fori*, had the exclusive competence to punish priests.[30] The same law code hints at a second path that allowed the prince to exercise influence over the lower clergy, namely, blocking the *temporalia*, the income from their benefices. This, however, is mentioned not in connection with sanctions against an unpriestly conduct of life, but in the context of the restriction of the power of the ecclesiastical courts. This evokes the idea that the priests, thanks to the income from their benefices (their "spiritual fief"), were subject to the secular authority of the prince as the highest feudal lord in his territory, an idea that was to prove extraordinarily important for the legitimation of Duke George's governance of the secular clergy.[31] Apart from the declaration of intent in the normative sources, the influence of the territorial government on the lower clergy still remains vague as far as the present state of scholarship goes.

6 The Laity

Scholars have scarcely paid attention to the secular lord's influence on the religious praxis of the laity as an independent sector of territorial church politics.[32] However, this can be discerned at an early date in the church politics of the

30 "[…] but we should most zealously see to it that any [priest] who makes himself dishonorable and unpriestly through any matter is punished and dealt with justly, as is fitting, and that we ourselves should do all that lies in our power to achieve this": Thuringian law code of Wilhelm III (see n. 2), at 87.—Manfred Schulze (see Schulze, *Fürsten,* 49–51) already sees in this passage the establishment of sanctions against the lower clergy by the prince, but this interpretation seems excessive, since the words "all that lies in our power" unambiguously point to the limits on the prince's power to inflict sanctions, in view of the *privilegium fori.*—See also Wintruff, 79 f.; ABKG, Vol. 1, LIII–LV, and Zieschang, 123 with n. 2. His study of the "dependence of the parochial clergy on the prince" has been announced, but was never published.

31 See p. 339–347.

32 On the definition and delimitation of this problem, see ch. 12, section 1.

Wettins. One prominent example is the ultimate authority over indulgences that the dukes of Saxony claimed after Elector Friedrich II laid down concrete conditions to be fulfilled before the papal indulgence for the war against Turkey in 1458 could be brought into his realm, ensuring that a part of the income would be used for his armaments against the Hussites.[33] Once again, it is only with the legislation of Wilhelm III that the reform of the laity comes into view; his mandate about morality in 1452 was the beginning of the postulation by the state authority of norms concerning the religious conduct of people's lives. Essentially, this was an attempt to enforce ecclesiastical norms by means of secular sanctions. As precursors of the edicts of the Early Modern territorial state, they are one of the earliest examples of this kind of legislation by the princes in the Empire.[34]

On every level of the late medieval church, therefore, we can observe the beginnings of territorial church politics, which coalesced in pre-Reformation Saxony to form a broadly established church governance. It is impossible to overlook the close link between authority over the church and reform endeavors. Just as we can speak of a successive growth of Wettin church governance, so can we speak of a Wettin reform tradition in the period before the Reformation.[35] This line of tradition, which understood the renewal of the church as a task of the secular princes, began with Wilhelm III and continued via Ernst and Albrecht to Duke George of Saxony.

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33 See ABKG, Vol. 1, LXVII–LXXXI.

34 For a detailed discussion of the beginnings made by Wilhelm III, see p. 396–409.

35 The concept of a "reform tradition" was first employed by Manfred Schulze. See Schulze, *Fürsten,* 133.

CHAPTER 5

George of Saxony (1471–1539) as a Reformer of the Church

Three observations in the preceding chapter should be emphasized, as they serve as starting points for examining the conditions that allowed Duke George's church politics to develop.

First, we observed that many studies consider the prince's personality as having been a factor that influenced the content and intensity of his church politics, which accords with widespread suppositions regarding the importance of rulers in pre-modern political systems.[1] Duke George's personality, therefore, must be a methodological presupposition for every advanced analysis of his church politics. It is scarcely necessary today to defend an interest in people as active subjects in history against structural-historical criticism, for modern biographical-historical approaches are not interested in generating a renaissance of the "great men" of history. This study investigates the societal scope within which the prince functioned, as well as his personal share in the politics implemented in his name.[2] Even the research in communist East Germany paid tribute to the role of the princes "in the shaping of politics and of society," as well as to Duke George in this context.[3]

Secondly, our survey of church politics in Saxony has shown that, like many other princes, the Wettins developed awareness of the contemporary problem of church reform. When we investigate Duke George, therefore, we must ask what ideas about church reform we can trace to him, and what stimuli influenced him.

Finally, scholars are beginning to note the important effect that secular legal traditions and secular praxis of government had on the princes' church politics. No prince studied canon law before becoming politically active in ecclesiastical affairs. Princes who conducted church politics were laymen, meaning that their world, the parameters of their political activity, and their

1 See section 2, below, for details.

2 See most recently Jussen, XIV f. On the scholarly discussion, see Schieder and the essays in: Klingenstein/Lutz/Stourzh.—A modern "group biography" of the Wettins in the late Middle Ages, oriented to the history of mentalities, has been presented by Jörg Rogge: see Rogge, *Herrschaftsweitergabe*.

3 See Hoyer, *Georg* (quotation from the title of the volume).

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specific understanding of the church and faith were informed from a secular perspective. Many princes made use of the professional competence of clerical counselors who had studied canon law, or took advice from theologians.[4] The princes' church governance was thus carried on in a field of tension between the clerical discussion of reform and the secular praxis of government.

1 Biographic Influences

George of Saxony was born in 1471, the son of Duke Albrecht the Brave-Hearted and his Bohemian consort Zedena (Sidonia) of Podiebrad.[5] He was the oldest surviving son of the couple. Since Albrecht, as the younger brother of Elector Ernst, had no immediate responsibility for government or the dynasty, George, the scion of a collateral line, was groomed for an ecclesiastical career. The Leipzig Partition of 1485 was a turning point in his life. Duke Albrecht received half of the Wettin territories as a principality of his own; however, he displayed little inclination to take a lasting interest in the business of government and instead decided to continue his services as a field commander of the Habsburgs. When King Maximilian appointed him governor general of the Netherlands in 1488, Albrecht permanently handed over the Saxony governorship to his son. George had thus already had governmental responsibility in his early years.[6]

4 Stievermann, *Landesherrschaft,* is exemplary here.

5 On this point and on what follows, see Bünz/Volkmar, "Albertinische Herzöge" (with bibliography on Albrecht, George, and Heinrich). On George, see also the bibliography in ch. 1, nn. 60–64.

6 One of the last acts of Duke Albrecht's governance was to hold a territorial Diet in Leipzig, which closed on April 19, 1488. See Goerlitz, 430. The fact that the young Duke George, supported by experienced counselors such as the Lord Marshall, Heinrich von Schleinitz, personally governed, is attested by a letter to Duke Albrecht in which George writes about government business "over which I—as a young lord, and yet a reigning prince—cannot preside as well as the Duke himself, although I am happy to do so and am keen to do so with all my abilities" (letter from Duke George to Duke Albrecht, December 27, 1490, quoted from Ludolphy, "Ursachen," 36, n. 36). The official mandates of the territorial government were also issued in George's name (see, e.g., the common mandate of Elector Friedrich, Duke Johann the Elder, and Duke George, Dresden, August 7, 1489, Loc. 14950, Konzepte […], 1474–1525, fascicle "1489," unpaginated). A 1493 letter of Duke Albrecht to his son also indicates that George acted independently at a young age: here, Albrecht grants that he may act "as you shall find it advisable" with regard to the ecclesiastical benefices of the younger brother—that is to say, in a central matter of dynastic family politics that was on no account to be entrusted to counselors. Letter of Duke Albrecht to Duke George, Halle in Hennegau, February 1, 1493, Loc. 8782/05, fol. 1.

George abandoned his ecclesiastical career[7] and devoted himself with great zeal to the tasks of princely government in Saxony. In 1496, he married Barbara of Sandomierz of the Jagellionian dynasty, the daughter of the king of Poland. This happy marriage[8] produced several children. Sons Johann (1498–1537) and Friedrich (1504–1539) were systematically introduced to the business of government in order to ensure the continuity of the Albertine rule.[9] After the death of his father, Duke George assumed the government in Saxony in his own name in 1500, and governed for half a century. From 1504 until it was sold in 1515, he also ruled the duchy of Friesland, which his younger brother, Heinrich the Pious (1473–1541) had handed over to him after failing to stabilize his government there.[10] George's last years were overshadowed by personal blows of fate. In the course of a few years, his wife and his two adult sons died. With George's death in 1539, his line died out and the land changed its religious confession, since his brother Heinrich, who had become a Protestant, lost no time in introducing the Reformation.

1.1 *A Theologian on the Ducal Throne? George's Early Career in the Church*

We know very little about George's education. Despite this, scholars have voiced numerous suppositions about him, some highly speculative, for the simple reason that George's level of education is astonishing. This seems to demand an explanation as George lived during a time when princes usually possessed no academic competence. George was not only able to follow the learned exchange of Latin words between Luther and Eck at the Disputation of Leipzig; he was also capable of engaging personally in theological argumentation, and he straddled the borders between clergy and laity during the Reformation, when he wrote Catholic pamphlets about eucharistic doctrine under the pseudonym of a parish priest.[11] Martin Luther felt so strongly attacked by George's activities that, instead of reflecting on the priesthood of all believers, he reflected on the old boundaries between the Estates and asserted

7 See the following section and ch. 7, section, 3.

8 On George's marriage, see Werl, "Sidonia, 14; Schirmer, "Hochzeit."—The letters that Duchess Barbara wrote in 1514 to her husband, who was fighting in Friesland, display intimacy and romantic devotion. See, e.g., her letter to Duke George, without place of writing, August 15, 1514, Loc. 8498/1, fol. 238. According to legend, George let the beard that gave him his nickname grow out of grief at the death of his wife. See Hoyer, "Georg," 95; Idem, "Georg II," 138 f.

9 On this, see ch. 25, section 2.

10 On this, see now Thieme, "Brüderlicher Vertrag."

11 See p. 459–462 on the Leipzig Disputation, and p. 559–566 on George's pamphlets.

that "the layman in Dresden" had no right to hold discussions with a theologian as if he were his equal.[12]

Older scholarship explained George's exceptional education by postulating that he had engaged in a period of study at the university of Leipzig, relying on a statement by the Chemnitz historiographer Georg Fabricius (died 1571).[13] This is certainly within the bounds of possibility—George's younger brother Friedrich, subsequently High Master, enrolled in Bologna in 1491, and later also attended the university of Siena.[14] But there is no evidence of this, either in the registers of Leipzig or elsewhere.[15] George's theological ability has been more justifiably linked to his early ecclesiastical career. Heinrich Butte remarks: "For a period, lastly as titular canon of Mainz, George enjoyed an ecclesiastical education."[16]

The thirteen-year-old prince did in fact receive a canonry in Mainz in 1484, which had fallen vacant through the early death of Albrecht of Saxony, the cathedral administrator, who was a cousin from the Ernestine line.[17] The unusual choice of an ecclesiastical career for a first-born son has been attributed to a vow taken by his profoundly pious mother Zedena; however, we do not have any proof of this. It might be more important to note that this career was chosen for George because there was no immediate need for an heir before the Leipzig Partition.[18] As a member of the Mainz chapter, George was appointed provisor of the bishop's court in Erfurt and bailiff in the district of Eichsfeld, which was subject to the archbishop.[19] Older scholarship stated that George

12 Quoted from Butte, 177.

13 See, e.g., Schulze, *Ehrenrettung,* 4, with a reference to Georg Fabricius, *Saxoniae illustratae libri novem,* Leipzig 1606, 842. Distel had already cleared up the alleged historical account (still maintained by Welck, 2) said to have been written by George in Leipzig about the deeds of his father.

14 See Knod, 417; Richter, *Erziehungswesen,* 12 f.

15 See Reichel, 8.

16 Butte, 177.

17 See Bünz/Volkmar, "Albertinische Herzöge," 79.

18 During the Duchess's pregnancy in 1471, her father, the Hussite Bohemian King George of Podiebrad, died under excommunication by the Pope. The thesis of the vow claims that out of her concern for the salvation of her father's soul, Zedena promised to name her son George and to destine him for service in the church. See Werl, "Sidonia," 9.—On this, see now Volkmar, "Georg der Fromme," 209.

19 The dating of the provisorship in Erfurt is made possible by a document of the archbishop of Mainz that charges George to hand over to the archbishop the document about a debenture bond that he had issued as provisor in 1485, since he was leaving the cathedral chapter. See the document of Archbishop Berthold of Mainz, Mechlin, September 30, 1494, O.U., Nr. 9052.

held a canonry in Meissen from 1484 onwards,[20] but this is uncertain. It can, however, be shown that George also acquired a canonry in Cologne, which he sought in 1486/87.[21]

Although George's ecclesiastical career is well attested, one cannot make asumptions about his education (for example, a cathedral school), since it is not even certain that the young prince ever left his home court to satisfy obligations of residence in a church. At most, an obligatory residence of one year in the Mainz chapter falls within the sphere of probability; one generation later, Albrecht of Brandenburg satisfied this obligation, accompanied by his own royal household.[22] Besides this, a look at the realities of the late Middle Ages shows that neither entry into clerical status nor preparation for a career as bishop necessarily required an academic education.[23] Above all, we must point out that this period of George's life ended in 1488, when he became regent in Saxony. He was seventeen years old at the time, certainly too young to have already received a higher education, for example in theology.

When we seek to learn more about George's formation, we must return to the Saxon court. At the end of the Middle Ages, the court was the first place a young prince was educated by his mother, tutors, and chaplains. This was also the case for sons who aimed at ecclesiastical careers. We know that the later Cardinal Albrecht received instruction for several years at the Brandenburg court "*in cameris sub diversis utriusque iuris doctoribus et magistris in artibus ac aliis viris doctis, in humanitate ac arte oratoria*," although we hear nothing of any instruction by theologians.[24] Unfortunately, it is scarcely possible to

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20 See, Welck, 1.—George's younger brother Friedrich held a canonry in Meissen at a later date. See p. 191, n. 60.

21 The endeavor to obtain the canonry in Cologne is documented by two testimonial letters about George's aristocratic birth from December 15, 1486 and October 16, 1487, Grundig/Klotzsch, Vol. 3, 246–258. The success of this endeavor is shown by George's later attempts to pass on the benefice to his brother Friedrich. See ch. 7, section, 3.

22 For the residential year that the later archbishop spent in Mainz as a twenty-year-old cathedral canon, his brother, Elector Joachim, estimated costs of 16,000 florins, mainly for the expensive household of the young canon. See Winterhager, "Albrecht," 132 f.

23 This is shown even by the example of Albrecht of Brandenburg, who had received a humanist education, but secured a papal dispensation from the requirement—if he was to become a member of the cathedral chapter in Magdeburg—of three years' attendance at university. See the following footnote.

24 Dispensation of Pope Leo X for Albrecht of Brandenburg, Rome, May 6, 1513, Ringel, 47 f. See also ibid., 44–47, on Albrecht's education. On the education at court, see the essays in the volume edited by Paravicini; for Friedrich the Wise as an example, see Kirn, 8 f.—On the education of princes in Central Germany see now Deutschländer.

uncover any certain information about Duke George's education.[25] The instructions in his will about the education of his own sons can be interpreted as a reflection of his own educational path; he stipulated that until they were eight years old, they were to be taught by their mother. "Then these sons of ours are to be provided with prudent taskmasters and are to be made to learn the Latin language and discipline. And when they are sixteen years old, they are to be introduced to business."[26]

Finally, with regard to Duke George's theological knowledge, we must also look at his early years in government, since a number of letters from Duchess Zedena to her son (which unfortunately can be dated only in very general terms to the period between 1488 and 1510)[27] show that he continued his ecclesiastical studies even after he already bore the responsibility of secular government. Two Augustinian theologians in Dresden, Dr. Andreas Schwertfeger and the celebrated observant vicar Dr. Andreas Proles (1429–1503), had close contact with the Albertine prince during those years. They were his confessors, but they also supplied George, at his mother's request, with edifying mystical texts (Tauler).[28] In conversations held with the theologians, boundaries between pious edification and the acquisition of theological knowledge were certainly fluid. It is possible to discern a special interest in pastoral theology on George's part, for how else can one explain his mother's proud words: "[…] in the long run, you will make a good preacher"?[29] This picture is complemented by the fact that George was the author not only of polemics in the Reformation period, but also of Latin prayers,[30] and that he wrote with his own hand a meditation on Philippians 2:5 that survives in a series of corrected versions.[31]

Since Proles was a monastic politician with experience of the world, we can be sure that core questions of church politics were touched on in his

25 An older study of the Albertines, which is very unreliable on details, is Richter, *Erziehungswesen,* 4–11.

26 Duke George's will, December 19, 1510, O.U., Nr. 9875, fol. 6r.

27 I refer here to a total of ninety-five letters from the file Loc. 8498/1. On the dating, see Werl, "Sidonia," 8.—The letters are now edited in: Rabeler/Kursawe/Ulrich.

28 See the compilation of sources in ABKG, Vol. 1, XXV, n. 1.

29 Letter of Duchess Zedena to Duke George, undated, quoted from Gess, *Klostervisitationen,* 6.—Zedena refers here to a sermon that Duke George had held in the presence of Emperor Friedrich III, probably on the sidelines of the Imperial Diet of Nuremberg in 1491. See Richter, *Erziehungswesen,* 9.

30 See Gess, *Klostervisitationen,* 6.

31 Meditation by Duke George on the verse "Hoc [enim] sentite in vobis, quod et in Jhesu Christo" (Phil 2:5) [ca. 1530], Loc. 10300/3, fol. 181–188 (two drafts, with corrections, in his own hand).

conversations with George. Not only did this long-serving leader of the observant movement have extensive experience of the practical implementation of church reform; more than anyone else, he had always relied on the political support of secular territorial rulers, and had worked particularly closely with Duke Wilhelm III of Saxony.[32]

If we add the fact, hitherto overlooked, that Duke George remained a member of the clergy until 1494,[33] we are looking at the remarkable situation of a reigning prince who belonged for a time to the clerical state and pursued his theological studies alongside the business of state, a prince who studied the Bible all his life and composed spiritual writings. We must note that in his adulthood, the prince not only wrote Latin fluently, but was also familiar with the Bible, the church fathers, and the commonplaces of theology to a degree that clearly set him apart from his princely peers. At the same time, it would probably be wrong to speak of a formal theological training; rather, George represents the pinnacle of lay education before the Reformation, in keeping with the educational program of Erasmus.[34] He studied the Bible and the starting points of theology, and consciously established a relationship between this knowledge and his faith.

We must bear in mind that George's education was not totally extraordinary. Duke Albrecht IV of Bavaria-Munich (1465–1508) likewise owed his solid knowledge of Latin to an ecclesiastical career in his youth, and Emperor Charles IV studied theology *inter alia* at the university of Paris, and wrote edifying texts.[35] It was thus not only his education, but also his religious zeal that led the Albertine ruler again and again to take public positions on questions of church reform, and subsequently in the religious controversy of the Reformation.

1.2 *Between Tradition and Modernity: George's Piety and Intellectual Horizon*

Public staging was one of the ancient techniques of personal government. Duke George's subjects could see the signs of his rule in many places, but it

32 See Weinbrenner, 66, 124–132; Schulze, *Fürsten,* 80–111; and p. 76 f.

33 See p. 190.

34 On this, see the following section.

35 See Rankl, 59; Machilek, 87 f.—The lower end of the scale is marked by princes such as the Württemberg Count Eberhard the Bearded and Albrecht Achilles, Elector of Brandenburg, who were indeed active proponents of territorial church governance and (in Eberhard's case) even founded universities, but who were unable to read Latin and thus regularly had translations made for their own use. See Eisermann, "Päpstliches Schriftgut," 453 f.

was only in selected places that they found his portrait carved in stone. In the cathedral in Meissen, the old sacred center of the Mark, a statue of George at the tomb of Benno of Meissen indicated who deserved thanks for the first canonization of a cleric from Saxony.[36] The same prince humbly took his place in a danse macabre depicted at outside of the Georgenbau, his modern Renaissance style residence in Dresden.[37] In both instances, there is only one single attribute in the hands of the duke: he is signalized, not by a sword or a shield, but by a rosary. In the case of a prince, it is of course necessary to draw a distinction between public depiction and personal piety,[38] but here, for once, we may trust the self-presentation,[39] since George was not only staging himself publicly in accordance with the ideal of a pious prince, he also seems to have lived up to this ideal.

His unusually close relationship to his pious mother laid the foundations of George's religiosity.[40] She raised the young prince in the absence of his father, and remained a close confidante after he had grown up and married. George was taught a strict religious praxis that included fasting, penance and daily prayer. Even after her death, he maintained the custom of spending Holy Week and the Easter festival fasting and praying at the cathedral in Meissen, holding Dresden business of government in abeyance.[41] George owed not only his anchoring in the ecclesiastically oriented lay piety of the late Middle Ages to his mother's influence, but also his sensitivity to the unifying function of the Roman papacy. For Zedena, her own biography was telling enough: throughout her lifetime, she attempted by means of penitential practices to save the soul of her father, who had died under papal excommunication as a Hussite. For George too, Cyprian's principle of *extra ecclesiam nulla salus* always referred to Rome; he explicitly professed this in his decision against Luther: "for we have been brought up to hold […] that all those who act and behave against

36 See p. 428 f. On the context, see Volkmar, *Heiligenerhebung Bennos*.

37 See Kiesewetter.—Other portrait medallions of the prince were located, for example, on bourgeois houses in Meissen (Heinrichsplatz 7) and Dresden (Altmarkt/corner of Badergasse) and on the outside staircase of the town hall in Oschatz. See Magirius, "Ausbreitung," 165 f.

38 On this problem, see Machilek; Volkmar, "Fürstliche Heiligenverehrung"; Idem, "Annaberger Heiltum."

39 For further examples of pious self-representations by Duke George, see ch. 13, section 4.

40 On what follows, see Werl, "Sidonia."

41 George's daughter-in-law Elisabeth relates in a letter to her brother, Philip of Hessen, that Duke George is "always in Meissen" in Holy Week "and prays and fasts night and day, and does not engage in government affairs at all" (quoted from Werl, "Sidonia," 13).

obedience, and separate themselves from the Christian church, are regarded as heretics and schismatics."[42]

The voluminous correspondence between mother and son (1488–1510) also tells us about the deep interiority of their piety, nourished by reading Tauler and other authors. The princess shows herself to have been a self-assured laywoman who trusted her own judgment despite the suspicion cast by clerics on the German mystic Tauler.[43] Zedena not only repeatedly sent her son prayer books,[44] she also financed the printing of edifying literature written in German in Leipzig.[45] In this way, Duke George was made aware at an early age of the importance of the book market for the formation of religious opinions among the laity.

In addition to his mother, George's biography and education influenced his religiosity. During his early years as a cathedral canon, he had learned, at least to some extent, to view the church and society from the perspective of a clergyman. His extensive ecclesiastical development was another factor. George as a layman drew on these resources again and again in his church politics, and encountered both clergy and laity on equal terms in the debate about church reform, just as he later encountered Martin Luther during the Reformation.

Finally, it is worth taking a closer look at the special profile of Duke George's religiosity. The first point that strikes us is that we look in vain for what his contemporaries regarded as pious work. George broke with the family tradition of setting out on great pilgrimages to Rome, Jerusalem, and Santiago, as his father, uncle, brother, and cousin had done.[46] He also did not display any personal interest in amassing treasuries of relics, although during the same period his

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42 Letter from Duke George to Martin Luther, Dresden, December 28, 1525, ABKG, Vol. 2, 472–478.

43 She assures her son: "[…] you may truly believe me." Letter of Duchess Zedena to George, March 29, 1498, quoted from Reichel, 8.

44 See undated letters from Duchess Zedena to Duke George, ABKG, Vol. 1, XXV, n. 1.

45 See ch. 13, section 3.

46 Duke Albrecht went on a pilgrimage to the Holy Land in 1476; his brother, Elector Ernst, went to Rome in 1480; Elector Friedrich the Wise went to Jerusalem in 1493, and Duke Heinrich the Pious followed him in 1498. See Reichert; Thurnhofer, "Romreise"; on the context: Ganz-Blättler; see also Streich, *Hof,* 481 f., on pilgrimages to Wilsnack.—It is now possible, thanks to a missive of Duke George, to date Heinrich the Pious's pilgrimage to Santiago to the winter of 1502/03, which some scholars have dated to 1506, but which is not well attested: at the beginning of February, the Dresden Privy Council informed two officials in Thuringia "that my gracious Lord, Duke Heinrich, is on the return journey from Saint James" and gave instructions about accompanying him to the Albertine court. Letter

cousin Friedrich the Wise in Wittenberg, Ernest of Saxony and Albrecht of Brandenburg in Halle were assembling the greatest collections of relics of the age and acquiring astronomic quantities of indulgences, running to millions of years, for those who venerated them.[47] George's mother was disturbed by his disdain for the graces imparted by indulgences. She once sent him a pamphlet about an indulgence that could be acquired in Meissen during Holy Week, and added, almost imploringly, "Do not despise it. Receive it, for it will not do you any harm."[48] However, George remained skeptical, and it is thus almost logical that he was one of the first to react positively to Martin Luther's ninety-five theses and attempt to get theological clarification of the conflict about indulgences in the Leipzig Disputation, in order that "we poor laymen may be instructed what we ought to do."[49]

It would, of course, be wrong to infer that George was less religious than other princes. His piety had a different orientation and was thereby in line with the trend of the times. Profound transformations in the piety of the laity have been observed at the close of the fifteenth century. Alongside the late medieval tradition personified in figures such as Friedrich the Wise, there emerged a new type of piety that rejected the religiosity of the Middle Ages, which had been oriented to actions and rituals, and returned to the spirituality of the Gospels and Letters of Paul, often referred to as "humanistic piety," not least because it was closely linked to the call for a better education of the laity.[50] Erasmus of Rotterdam is regarded as the herald of the new lay piety. In his *Enchiridion militis christiani*, first published in 1503, he presented a kind of manifesto of this piety, although he should not be regarded as its creator, but rather as its most influential representative.[51]

The program set out by Erasmus in the *Enchiridion* encompassed much more than the label "humanism" is able to express. It was an attempt to bring piety back to the core affirmations of scripture. The demand for a better education of the laity and vernacular scripture reading reminds us that humanism

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from Duke George to the *Amtmann* in Freyburg, [Dresden], February 11, 1503, Cop. 108, fol. 180r.

47 See Volkmar, "Annaberg Heiltum"; Idem, "Fürstliche Heiligenverehrung." See also p. 384 f.

48 Quoted from Werl, "Sidonia," 12.

49 Letter from Duke George to Bishop Adolf of Merseburg, Dresden, January 17, 1519, ABKG, Vol. 1, 60–62.

50 See Honemann, "Frömmigkeit"; Volkmar, "Fürstliche Heiligenverehrung" (with further bibliography).

51 See Hermelink. On the German humanists' piety and their ideas about church reform, see also Augustijn, *Erasmus*; Rapp, *Réformes*; Spitz; Mertens; Joachimsen.

was an educational movement. But there is more. The model for ideal piety found its guideline in the Pauline dichotomy between spirit and flesh: the core elements were contemplation and prayer, with an emphasis on moral values. In all the acts of piety it was not effort or frequency, but simplicity and inner participation that was important. There was also an energetic summons to reform that found much to criticize in existing forms of piety.[52]

A great deal of the new form of piety can be recognized in Duke George's religiosity. An internalized devotion according to the ideal of *intra se trahere Christum*,[53] and the conviction that laypersons should also be allowed to study the Bible,[54] went hand in hand with criticism of an externalized praxis of piety and a burning zeal for reform. George remained oriented to the law with regard to his fasts and the authority of the church, including the question of who was competent to decide about the correct interpretation of the Bible.[55]

A Christocentric perspective predominates in his personal testimonies. When his son, Duke Johann, was on his deathbed in 1537, George counseled him "to place his trust in Christ alone, that he may make him blessed."[56] He had no special personal veneration for Anne or Benno, who have often been called George's "favorite saints" with their sanctuaries in Annaberg and Meissen.[57] In his will of 1510, he entrusted his sinful soul to the mercy and grace of the triune God and asked that it be received for the sake of the sufferings of Christ and the compassion of Our Lady. It was only at the end that he added the request for the intercession of all the saints, although only one of them, James, the son of Zebedee, was mentioned by name.[58] In his choice of the holy apostle regarded as the one who accompanied Christians on their pilgrimage into eternal life, George was choosing an intercessor who played no role in the autochthonous cultic topography of Central Germany, further confirmation of his scanty personal interest in the externalized cult of the saints. The triptych that George commissioned from Lucas Cranach the Elder in 1534, to be used as the altarpiece for his sepulchral chapel in Meissen, is centered exclusively on the redemptive work of Christ.[59]

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52 See Desiderius Erasmus, *Enchiridion militis christiani* (1503), Welzig, Vol. 1, 56–375. On this, see Stupperich; Walter; Augustijn, "Ekklesiologie," 78–84. See also p. 358–361.

53 See Hamm, *Frömmigkeitstheologie,* 227–246, at 235.

54 See p. 581 f.

55 See esp. ch. 12.

56 Quoted from Werl, *Elisabeth,* 131.

57 See Volkmar, "Annaberger Heiltum."

58 See Duke George's will, December 19, 1510, O.U., Nr. 9875, fol. 1v.

59 Around the motif of Christ's mercy in the middle panel, the side panels group the founders, George and Barbara, with their patron saints, James and Andrew, while the apostles

Like the critical distance he kept vis-à-vis the contemporary praxis of piety, the spirituality on which he reflected and his theological knowledge were both beyond the traditional religiosity of the Middle Ages. Otto Vossler describes George's Christianity as "modern" and "Erasmian."[60] We can thus no longer avoid the question of George's relationship to humanism. It is certain that he was no humanist. We know of no humanists among his teachers or tutors, and the prince himself did not devote himself to the *studia humanitatis*. This, however, does not make it impossible to use the term "humanist piety" to categorize his religiosity, but it does show the imprecision of the category of "humanism," since humanism north of the Alps did not develop any genuine ideal of piety, but took over its ideas from a variety of sources—German mysticism, the *devotio moderna* and the reform theology of Jean Gerson, who was universally revered.[61] This means that the roots of that new, internalized form of lay piety did not lie in humanism *per se*; rather, they were part of Christian heritage. In Central Germany, the new piety was mostly propagated by reform theologians from the observant branch of the order of Augustinian hermits who had been trained in scholasticism. We can mention especially Johannes of Paltz and the observant vicar Johann of Staupitz, both of whom were close collaborators of Andreas Proles, the energetic reformer of the religious life who demonstrably influenced Duke George's religious development.[62]

Although he himself was not a humanist, George was open to the representatives of the new educational movement. Not only did he correspond intensively with Erasmus of Rotterdam; he also appointed two humanists, Hieronymus Emser and Johannes Cochlaeus, as court theologians. It is typical of the religious climate of the Dresden court that it was the chaplain Emser who published the first independent edition of the *Enchiridion* in 1515/16, with a subtitle that underlined a demand for a reform of lay piety.[63] At the university of Leipzig, George supported the *studia humanitatis* by founding a professorship in poetics and a lectureship in Greek, which was held by Petrus

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Peter and Paul point to Latin passages from the New Testament as mottos of the founders. These passages are taken from their writings (Paul's Letter to the Ephesians and 1 Timothy, and 1 Peter). See Krause, 389–393.—I am grateful to Andrea Thiele M.A. (Halle) for her help in interpreting the triptych.

60 See Vossler, 286–288.

61 See Hamm, *Frömmigkeitstheologie*; Hermelink.

62 On Paltz, see Hamm, *Frömmigkeitstheologie*; on Staupitz, see Hamm, "Staupitz"; on the link to Proles, see Weinbrenner, 229–247.

63 See p. 360 f.—On the correspondence between Duke George and Erasmus, see p. 577–580.

Mosellanus from 1516 to 1524.[64] The attempts at reform in Leipzig must also be seen in connection with the foundation of the university of Wittenberg, which proved a serious competitor to the once unchallenged Wettin state university.[65] George also showed his openness to new things in his support for building projects. He was a pioneer in the introduction of the new Renaissance style in Central Germany, as we can see in works of art such as the high altar of Saint Anne in Annaberg (1522) and the portal of his burial chapel in the cathedral in Meissen (1522/24).[66]

Finally, the tension in Duke George's personality between modernity and the Middle Ages emerged in its acutest form in the controversy over the Reformation. This became publicly visible in the Georgenbau in Dresden (1530/35), the only castle that he built. The gateway has been praised because of its modernity as the "incunabulum of the early Renaissance in Central Germany."[67] But the same gateway greeted visitors who entered the town via the bridge over the Elbe that was embellished with an admonitory danse macabre, an emblem of the attitude toward life in the late Middle Ages. In addition, the new wing of the castle has an extensive display of images. The elaborate decoration of the façade, carried out under George's personal supervision,[68] was not intended to depict worldly splendor, but to present religious convictions. The complex iconography referred to Cranach's popular Reformation cycle of paintings entitled "Law and grace" and offered a contrast through a decidedly Catholic interpretation of Christ's redemptive work that emphasized the validity of the law and the importance of good works. In this way, the most modern official building of the secular territorial government became the background

64 On George's reform endeavors in the University of Leipzig, see Gess, "Leipzig und Wittenberg"; Helbig, *Reformation*; on humanism in Leipzig, see Bauch, *Leipziger Frühhumanismus*.

65 See Gess, "Leipzig und Wittenberg"; on the early history of the University of Wittenberg, see most recently Stievermann, "Wittenberg"; Töpfer.

66 See Magirius, "Ausbreitung," 155–158. On the Daucher altar in Saint Anne's church, see also p. 379–384.

67 Magirius, "Georgentor," 62.

68 In the course of an inspection of the castle gable that Duke George conducted on July 10, 1534 with the master builder and the sculptor, the scaffolding collapsed and the prince fell three stories, while remaining largely unhurt. See the letter of Duke George to Elector Johann Friedrich, Dresden, July 14, 1534, ABKG, Ms. Werl, Nr. 2848, also: Burkhardt, "Unfall."

for an anti-Reformation polemic and a widely visible landmark of its builder's sense of mission with regard to church politics.[69]

2 The Decision Makers in Church Politics

In the first weeks of 1508, a longstanding conflict between Duke George and Bishop Johann VI of Meissen reached a new stage. The prince felt that certain remarks of an episcopal counselor had offended his honor, and he reacted by writing an angry letter to the "master in Meissen" that lacked all diplomatic language. What would the next step be? But then, a message from the Lord Marshall Heinrich of Schleinitz, an experienced counselor, arrived at court. He had heard of the latest developments and wanted to discuss with the Duke what should be done. He planned to come to the court in four days' time, and implored the enraged prince not to do anything before then: "I request most submissively that Your Princely Grace let this matter rest until I arrive."[70]

A letter of apology from the Bishop had already lessened the tension before Lord Marshall's letter reached Dresden,[71] but the scene remains intriguing. Clearly, Schleinitz dared to make a political decision of vital importance made by Duke George dependent on his own personal advice. This confronts us directly with the question of the authorship. Who conceived the church politics that bore George's name? Where were the political guidelines laid down, and who made the daily decisions? What share of the responsibility did the prince actually have, and what role was played by influential advisors acting in the background?

Manfred Rudersdorf has recently classified the governmental praxis of German princes in the sixteenth century by using the concept of "patriarchal princely governance,"[72] which picks up two central aspects of contemporary

69 See Magirius, "Georgentor"; Idem, "Renaissanceschloß."—On the Saxon coins, which circulated throughout the Empire, George declared his position in the confessional conflict, a point of identification of his governance. A thaler of 1531 has the inscription: "Georgius dux Saxoniae princeps catholicus," and on a medallion of 1532, George not only calls himself the most obedient son of the church, but also the most consistent defender of the ancient faith ("Georg. dei gra.[tia] dux Saxoniae anno sal.[utis] MDXXXII veteris fidei assertor constantiss.[imus] et ecclesiae filius obedientiss.[imus]"): Köhler, *Münzbelustigung,* Vol. 22, 25–32.

70 Letter from Heinrich von Schleinitz to Duke George, no place of writing, March 10, 1508, Loc. 8985/26, fol. 1.

71 On the conflict between Duke George and Bishop Johann VI, see p. 203–215.

72 See Rudersdorf, "Landesväter"; Idem, "Patriarchalisches Fürstenregiment."

scholarly discussion. The term "princely governance" (*Fürstenregiment*) indicates the direct participation of the prince in decisions made by his administration. Despite tendencies around 1500 to relieve the ruler of the burden of routine administrative tasks, the medieval tradition of personal rule did not lose its normative force. The personal collaboration of the prince in the business of government continued to be essential for the legitimacy of its actions.[73] Even Philip II of Spain was still attempting to rule his world empire in keeping with the ideal of personal governance; it was said that not even the smallest bridge in Andalusia was built without his consent.[74]

The transition from the medieval to the Early Modern prince is symbolized by the move from the back of a horse to the chair behind a writing desk. In the case of Albertine Saxony, this transition can be seen in personal terms. Albrecht the Brave-Hearted led the life of a general in Europe's trouble spots, and the territorial government, which he inherited later in life, was a burden to him. The approach of his son George, on the other hand, is representative of those princes who understood "ruling primarily as desk work."[75] His pleasure-loving younger brother Heinrich actually dreaded visits to Dresden, "because Duke George was accustomed to talk about government matters."[76] The Dresden records are full of letters in George's own hand and drafts that he corrected in great detail. In 1509, the Duke personally wrote a ten-page memorandum after difficult political negotiations with the Ernestines in Mühlhausen, although three high-ranking counselors had accompanied him to the meeting.[77] As the dating of his letters shows, it was often only after midnight that he laid down his pen.[78] We see the value that Duke George attached to personal government in the crisis of the early Reformation, when the prince did not leave his

73 See ibid.; Schubert, "Umformung"; Boockmann/Dormeier, 157; Oestreich; Weber, "Dynastiesicherung"; and the essays in Asch/Birke.

74 See Davies, 112.

75 Schubert, "Umformung," 207.

76 This is the account given by Berhard Freydinger, Duke Heinrich's financial secretary and biographer. Quoted from Rogge, *Herrschaftsweitergabe,* 262 n. 49.

77 Notes in his own hand by Duke George about a meeting with Elector Friedrich and Duke Johann the Elder in Mühlhausen on November 25, 1509, Loc. 9853/5, fol. 49–53. George's account, written in the first person singular, was subsequently copied in the Dresden chancellery and transposed into the royal 'we'. See the copy of George's account, ibid., fol. 44–48.—On the context of the negotiations, see Rogge, *Herrschaftsweitergabe,* 279–282.

78 See Werl, "Sidonia," 15.

territory even for the Imperial Diets: he argued that his personal presence was indispensable for keeping the Protestant movement under control.[79]

We can therefore consider the intensive personal participation in government and the concentration on the internal situation of his territory as characteristics of Duke George's rule. Scholars have identified another characteristic: a largely tension-free collaboration with the Estates that was due not least to George's clear sense of justice and to his success in preserving peace.[80] After his death, even his Protestant daughter-in-law Elisabeth von Rochlitz acknowledged that the Estates respected George's rule as the government of a "prince of peace."[81]

The adjective "patriarchal" indicates the qualitative claim made by princely governance. On the basis of late medieval catechisms, Robert Bast has shown that the prince was regarded as a fatherly authority in the sense of the fourth commandment, and that his subjects owed him obedience.[82] The discussion of church reform in the fifteenth century placed great hopes in the "fathers of the country." Out of concern for his own subjects, and in virtue of his patriarchal legitimation that was ultimately derived from God, the prince ought to have become the agent of church reform—since only a church in good working order could guarantee the salvation of his subjects' souls. At the same time, the emerging territorial state increasingly offered the prince the possibility of disciplinary intervention in the church and in the religious life of his subjects.[83]

This patriarchal mindset can also be perceived in the self-understanding of Duke George's church politics, mediated by the Wettin reform tradition of the fifteenth century.[84] In Heinz Scheible's eyes, he "embodies the ideal type of a patriarchal prince; he was a 'father of his land' by the grace of God," not

79 See p. 497 f.

80 On George's relationships with the Estates and on the strong position of the landed aristocracy in the prince's administration, see Goerlitz, 475–482; Schirmer, "Herrschaftspraxis"; also Idem, "Adel"; with regard to church politics, see Wartenberg, "Luthers Beziehungen," 566, 563.

81 "The people say that the late Duke George was nothing other than a prince of peace. He maintained a good peace in the territory; this is why everyone paid their taxes gladly to him": Letter from Duchess Elisabeth of Rochlitz to Elector Johann Friedrich, Rochlitz, April 25, 1539, PKMS, Vol. 1, 39 f.

82 See Bast, 146–185.

83 Robert Bast summarizes the connection as follows: "The catechetical tradition sheds new light on the symbiosis between reformist clergy and secular authority—one that established patterns of interaction that would lead to the emergence of social discipline as a major characteristic of the age": ibid., 168.

84 See, taking Duke Wilhelm III as an example, Schulze, *Fürsten,* 46–80; Bast, 178–185.

least because his exemplary conduct of life earned him universal respect.[85] In particular, his church politics vis-à-vis the laity was permeated by patriarchal patterns of argumentation, both before the Reformation, in the drafts of the law code of 1498/1502, and against Luther, when he wrote "out of an entirely fatherly, responsible, and good sentiment" and forbade his "dear and faithful subjects, in order to avoid punishment and harm to body and soul," to read Luther's September Testament.[86]

It seems, therefore, that the typological category of "patriarchal princely governance" is particularly appropriate in the case of Duke George. This suggests the following provisional conclusions for our investigation of his church politics. First, the prince personally exercised a determinative influence on all the individual aspects of the politics that were carried out in his name; and secondly, his patriarchal self-understanding generated specific approaches to legitimation and a certain sense of mission with regard to the supervision and reform of church life.

In addition to this approach via typology and the history of mentalities, the extensive Albertine tradition gives us the possibility of looking at the politics of the day in the complex conditions of its genesis, in order to identify more precisely the personal role played by the prince. The concrete processes of decision-making and the daily praxis of government have already been hinted at above, in the example of the intervention by Heinrich von Schleinitz. We shall now examine these to see whether they confirm or correct the global thesis of a patriarchal princely government.

2.1 *The Privy Council*

Before we study these questions, we must locate them within the history of administration. As was the case at many courts around 1500, the Privy Council had become the most important decision-making body of the territorial government in Saxony.[87] It had inherited the role of the chancellery, which was

85 Scheible, "Fürsten," 387 f.; on the perception of George as an ethical model, see, e.g., Butte, 185 f.; from the perspective of the Hohenzollern dynasty: Heinrich, 24, 28.

86 Preface by Duke George to Hieronymus Emser's edition of the New Testament, Dresden, August 1, 1527, ABKG, Vol. 2, 775–780.

87 On what follows, see Blaschke, "Hofrat"; Kretzschmar; Schirmer, "Herrschaftspraxis"; Streich, *Hof*; Stievermann, "Landesherrlicher Rat"; Volkmar, "Hofrat" (with references to earlier scholarship).—The development in Saxony ran parallel to that in other large territories in the Empire, for some of which recent studies are available. See Willoweit, "Landesherrschaft," 66–142; Schubert, "Umformung"; Noflatscher; taking the example of an ecclesiastical principality: Scholz, 42–111.

now limited to the technical aspect of administration—the production of documents, letters, and records—and served the Privy Council as a secretariat.

The court ordinance of 1502 provides information about how the Albertine Privy Council worked. It states that "all our 'real' privy councilors who are present" should meet daily after morning Mass in a parlor or the chancellery, and "present and discuss all the matters that it is necessary to discuss, as well as the letters that have arrived." They were also to interrogate litigants and decide their cases.[88] The body worked as a college. Its legitimation was derived directly from the prince, and it was, in principle, responsible for all the tasks of the territorial government, although the financial administration had already become an independent branch. The Privy Council was comprised of three groups of persons: first, the holders of the highest offices at court (Lord Marshall, Major Domo, Lord Chamberlain); secondly, some counselors who resided permanently at court; these two groups constituted the circle of "real" or "secret" counselors, whom scholars also call "privy counselors", and thirdly, the chancellor, sometimes assisted by experienced chancellery clerks. The Privy Council was a small circle of roughly six to eight persons. Its membership was in constant flux, because "real" counselors went on diplomatic missions, and governors and counselors automatically took temporary positions during the absence of the prince.

In terms of their social position, the overwhelming majority of Privy Council members belonged to the lower aristocracy and were immediately subject to the prince. The position of the chancellor was more open, in societal terms. In keeping with the trend of a (re-)feudalization of the court, some heads of the chancellery came from the lower aristocracy of the region, but others had a bourgeois origin. They all shared the high academic qualification of a Doctor of Law, but some were clergy while others were laity. The prince was usually present at the Privy Council, but his presence was not a precondition for its activity. Even when Duke George was briefly absent, or indeed went on longer journeys, the "counselors who remained at home" continued to meet in Dresden.[89] Naturally, George reserved for himself the right to be informed about the Privy Council's decisions, and to reform them. During longer absences, he directed

88 Court ordinance of Duke George [1502], Loc. 8233/1, fol. 104–112, edited by Goerlitz, 491–496.

89 See Volkmar, "Hofrat," 87 f. For similar regulations with regard to the absence of the prince, see Noflatscher, 317; Willoweit, "Verwaltungsorganisation," 309 f.

their decisions by mean of letters. He frequently instructed them that no decision should be taken about a particular matter before his return.[90]

The Privy Council was the authoritative decision making body for Duke George's church politics too. There was no special council or body responsible for church matters in pre-Reformation Saxony. It was only under the Protestant successors that the consistory came into being as a specific committee of the Lutheran church system, along with specialized councils of the prince, such as the councils for religion matters under Duke Moritz.[91] Even in Bavaria, the model Catholic territory, a "Religious and ecclesiastical council" was set up in 1556, in the context of confessionalization.[92]

The collegial mode of consultation in the Privy Council and the lack of minutes make it impossible to directly determine the influence of individual councilors—or of the prince himself. One could say that the church-political decisions of the territorial government, which survive as official letters from Duke George in the missive books, came into being in a black box inaccessible to the historian's eyes. Attempts to identify their authorship more precisely have to take detours.

Initial indications can be gleaned from the notes about the *commissio* of a document that were regularly included in the missive books. These tell us the name of the councilor responsible for the dictation of a text, and who brought it before the privy Council for adoption. The study of these notes is instructive, but not in the sense one might have hoped for; it makes it clear that there was no specialized responsibility of individual members of the Privy Council for particular sectors. This applied both to church politics and to other fields. The principle of genuine collegiality dominated, although it is obvious that the chancellor, with his legal training, oversaw the majority of the missive dictations. This means that the principle of distinct areas of responsibility had not yet reached the princely government, with the exception of separate financial

90 The system proved its worth also in extreme cases, for example in times of plague. In August 1521, George fled to Schellenberg "out of concern for the lethal air that is now at many places," and remained there for several months. He instructed his counselors in Dresden to continue to carry out the business of government and to refer only important matters to him, "so that we may be protected from too many visitors at these times" (letter of Duke George to the counselors who had remained at home in Dresden, Schellenberg, August 8, 1521, ABKG, Vol. 1, 184 n. 5). The case of the schoolmaster's post in Döbeln illustrates the problems encountered by the double government in this period: on this, see p. 303 f).

91 See Wartenberg, *Landesherrschaft,* 143–158.

92 See Rössler, 11–13.

administration.[93] Our interim conclusion is that the church-political decisions of the territorial government were taken collegially in the small circle of the Privy council, that this body was recruited predominantly from the lower aristocracy of the territory, and that the strong position of the chancellor meant that professional legal competence (extending in part to canon law) made a contribution to the decision-making procedure.

2.2 *Leading Figures*

This interim result does not take us very far towards identifying the leading figures and generators of ideas in the prince's church politics, but the Dresden records can supply us with further indications. The concepts they contain were written not only by chancellery notaries, but sometimes also by well-known counselors or by the prince himself. Missive registers and letters from surviving records also show with whom Duke George corresponded about questions of church politics. On this basis, it is possible—with all due caution—to sketch a picture of the internal process of decision-making.

The first thing we notice is that the most prominent actors in church politics largely tended to be those persons who set the agenda in the territorial administration in other areas; in other words, secular counselors and the chancellor.[94] In the decades prior to the Reformation, we also find names such as Lord Marshall Heinrich von Schleinitz or Cäsar Pflug, the strong man in Leipzig.

Heinrich von Schleinitz held the highest office at court as Lord Marshall from 1497 until his death in 1518, and was the most important confidant of Duke George during this period.[95] The young ruler was dependent on the experienced politician, and this led him in 1500 to reject his father's request to send Schleinitz to him in Friesland.[96] The Lord Marshall's intervention in the dispute with Johann VI, described above, is an eloquent testimony to his

93 See Volkmar, "Hofrat," 75–95; Schirmer, "Herrschaftspraxis," 311–315.—The finances were administered, partly under direct control by the prince, by the Chamber of Incomes and the Chamber, which thereby became the nucleus of new central authorities. See Schirmer, "Herrschaftspraxis," 324–329; on the importance of the Chamber in the history of public administration, see Oestreich.

94 On the members of the Privy Council, see Schirmer, "Herrschaftspraxis"; Goertlitz, 414–428; Volkmar, "Hofrat."

95 George speaks of "the trust that we repose in him before anyone else" (Duke George's will, December 19, 1510, O.U. 9875, fol. 7v). See also Goerlitz, 415 f.—On his person, see Schirmer, "Herrschaftspraxis," 370.

96 See Duke George's letter to Duke Albrecht and Duke Heinrich, Schellenberg, September 15, 1500, Cop. 106, fol. 54r. The composition of this letter was undertaken by the "indispensable" Lord Marshall in person.

influence on George's church politics. He played a central role in extremely important undertakings such as the drafting of the territorial law code of 1498 and the postulation of Duke Friedrich the Elder as coadjutor of the archbishopric of Magdeburg. In the latter instance, he organized the diplomatic campaign, addressed to King Maximilian and the curia, that accompanied the postulation. We know nothing about Schleinitz's formal education, but he displayed a high degree of professional competence; he made substantial alterations to the Latin draft of the supplication that had been composed for George by no less a man than Cardinal Raymond Peraudi. When the project of an Albertine succession in Magdeburg threatened to collapse on the early death of Friedrich, it was Schleinitz who delineated the future line to be taken by Albertine politics and who attempted in person, with George's approval, to implement these politics in Magdeburg.[97] The influence of the Lord Marshall, who was a leading figure for other Albertine councils as well, went together with a close personal relationship to the prince, to which numerous letters bear witness.[98]

Although he was present only temporarily in the Privy Council, Cäsar Pflug (circa 1450/55 to 1524), an aristocratic judge at the princely court in Leipzig, was one of George's most influential counselors between 1510 and 1524.[99] It was indeed out of keeping with George's personal governance to give one single

97 See p. 192–196 and 403.

98 A vivid example of the personal communication among the counselors and with the prince can be found in documentation regarding the death of Heinrich (the Younger), Count of Stolberg. He was one of the few counselors of George who came from the high aristocracy, and he fell mortally ill in autumn 1508. Via Sittich von Berlepsch, an important *Amtmann* and counselor in Thuringia, Lord Marshall Schleinitz in Leipzig heard about Stolberg's condition; and shortly afterwards, he received a letter written from the Count's deathbed, in which he asked for prayers for the salvation of his soul. Schleinitz then had Masses celebrated in Leipzig for the repose of Stolberg's soul, and he informed Duke George, asking at the same time that "Your Princely Grace may ordain that the same be done as well" (letter from Heinrich von Schleinitz to Duke George, Leipzig, October 3, 1508, Loc. 8949/2, fol. 1). George then paid out of his own pocket for the celebration of Masses for Stolberg's soul in the parish church and in the Franciscan monastery at Annaberg. See the letter from Duke George to the *Amtmann* of Annaberg [Dresden], December 9, 1508, Cop. 110, fol. 47r.

99 On the person, see Schirmer, "Herrschaftspraxis," 368. Pflug was a member of the Privy Council only for a short time, since he did not live at court; in the summer of 1523, he headed the Privy Council with Duke Johann the Younger as vicegerent. See Duke George's Instruction, Dresden, June 11, 1523, ABKG, Vol. 1, 516–518. A significant indication of Pflug's influence is the assessment of the Leipzig Council in 1521 that "he occupies the role of a Lord Marshall there"; this office had remained vacant after Schleinitz' death. See Goerlitz, 416–419, from which the quotation is taken.

servant a position of omnipotence, such as those held by Nikolaus Krell and Count Brühl later on. If, however, we ask which counselor was the most influential at any particular time, there is an arc from Heinrich von Schleinitz via Cäsar Pflug to the latter's son-in-law, Georg von Carlowitz, who enjoyed George's special confidence, together with Simon Pistoris, the chancellor, from the late 1520s onwards.[100] Cäsar Pflug, a man who had had a higher education, lived on his estate near Leipzig. He served his master not only in questions of finance, but also in church affairs. The prince entrusted him with highly delicate missions, such as consultations with Adolf of Merseburg about the dissemination of Luther's ninety-five Theses, and the negotiations about the abuses of the ecclesiastical court system in the diocese of Halberstadt in 1523.[101] In the same year, Georg had Peter Korner, preacher in Pegau, dismissed from office, because Pflug had judged his sermons to be Lutheran.[102] Likewise in 1523, when a mandate of King Ludwig II against the ecclesiastical court system in the Lausatian districts alarmed the vicegerents of the Bishop of Meissen, they felt that they could not appeal directly to Duke George—doubtless in order not to disavow the King of Bohemia. Instead, they sent their complaint (with a great deal of special pleading) to two influential Albertine counselors, Cäsar Pflug and Dr. Nikolaus von Heinitz. The indirect path to the prince proved successful, since George intervened at once with the Bohemian king against measures that had gone too far.[103]

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100 On Georg von Carlowitz, see Wartenberg, *Landesherrschaft,* 63–94. Carlowitz remained one of the most important counselors under Duke Moritz too. See ibid., passim; Held, "Moritz," 147 f.; Idem, "Berater."

101 See p. 390–396 and p. 602 n. 25.

102 See the letters from Duke George to Bishop Adolf of Merseburg, Sangerhausen, May 7, and Weissenfels, May 15, 1523, ABKG, Vol. 1, 504, 510 f.

103 The argument presented by the vicegerents of Meissen—that they addressed Pflug because his son Julius (later bishop of Naumburg) was the archdeacon of Lower Lausatia—looks like a mere pretext, since the influence of the young archdeacon would scarcely have been weightier than that of the bishop's vicegerent. Besides this, there would have been no difficulty in addressing Julius Pflug directly, since he lived in Meissen, instead of importuning his father in Leipzig. See the letter of the vicegerent of Bishop Johann VII of Meissen to Cäsar Pflug, Stolpen, February 14, 1523, ABKG, Vol. 1, 464 f.; letter of Duke George to King Ludwig of Hungary and Bohemia, Dresden, February 19, 1523, ibid., 467 f. See also p. 262.—On Pflug as advocate, see also the letter from Duke Friedrich the Younger to the city council in Delitzsch, Dresden, March 8, 1521, ABKG, Vol. 1, 159.

The mention of the former chancellor Heinitz, doctor *utriusque iuris*,[104] brings us to the scholarly and clerical element in the Dresden privy council.[105] Like his two predecessors, Dr. Johann Erolt and Dr. Siegmund Pflug,[106] Heinitz was well versed in canon law. As a cathedral canon in Meissen, he also formed a link to the spiritual clientele of the prince. The strong position of the chancellor in the Albertine Privy Council, especially with regard to the *commissio* of the missives, meant that the three decretists were intensely involved in church politics too. It is, however, scarcely possible to say anything about their conceptual contribution. Heinitz, at any rate, remained an important counselor of George even after he left the privy Council in 1506.[107] It is surprising that Heinitz was the last clergyman in the Privy Council. George's later chancellors, Dr. Kilian König (1506 to 1513), Dr. Johann Kochel (1513 to 1523), and Dr. Simon Pistoris (1523–1539), had doctoral degrees in law, but they had not studied canon law and were laymen. As municipal attorneys in Leipzig and Zwickau and professors in the faculty of law in Leipzig, they represented the bourgeois municipal administrative elite.[108] Nevertheless, it was Kochel and Pistoris who were leading counselors and agents of George's church politics in the Reformation period.[109]

It is impossible to overlook a certain system change here. From a chronological perspective, the implications of this change are striking. In the early period of George's reign, the Privy council still bore the imprint of older, more experienced counselors; the very fact of the prince's youth meant that they had an important role in day-to-day political business. The learned clerical chancellors, in collaboration with veteran secular counselors such as Hans von Minckwitz, Dietrich von Schönberg, and Dietrich and Heinrich von Schleinitz,[110] were

104 Chancellor from 1500 to 1506, cathedral canon in Meissen from 1503. On his person, see Schirmer, "Herrschaftspraxis," 357.

105 On learned lawyers and their role in the process of the transformation of the prince's government into the territorial state, see Stievermann, "Gelehrte Juristen"; Schwinges; taking a case study from Leipzig: Boockmann, "Lebenswelt."

106 Dr. Johann Erolt, known as Königsberger (died 1495), George's chancellor from 1486 to 1495, and cathedral canon in Meissen no later than 1475. Dr. Siegmund Pflug (ca. 1455/60–1510), from 1495 to 1500 chancellor, cathedral canon, and later cathedral provost in Merseburg (1505) and Meissen (1507). See Schirmer, "Herrschaftspraxis," 356, 367.

107 See p. 230.

108 On the biographies, see Schirmer, "Herrschaftspraxis," 359; Wartenberg, *Landesherrschaft,* 76–81.

109 See ABKG, passim.

110 Hans von Minkwitz, Lord Marshall from 1488 to 1497; Dietrich von Schönberg, major domo from 1486 to 1495; Dietrich von Schleinitz, major domo from 1497 to 1510. See Schirmer, "Herrschaftspraxis," passim; Goerlitz, 414–428.

presumably responsible for the continuation of the Albertine church politics in the Wettin tradition of the fifteenth century.

When, however, George took the reins of government completely into his own hands, he eschewed the clerics, and their competence in canon law, in his most important decision-making body. Canon lawyers did indeed remain important as advisers, but they no longer belonged to the group that made church politics. Finally, in the Reformation period, George's court theologians introduced a new element.[111] But even Emser and Cochlaeus, important as they were for George's public fight against Luther, were not admitted to the privy Council. They served church politics as advisers and authors, but they were not decision makers. Despite all the parallels, this is what distinguishes Emser's position from the function of Georg Spalatin at the court of Friedrich the Wise, for Spalatin was not only a humanist publicist, but also an influential counselor regarding questions of church politics.[112] George's church politics, on the other hand, were shaped by the secular aristocratic managerial staff of the prince's government, clearly unlike the leading part played by ecclesiastical counselors in Württemberg, who had a very significant influence on the dukes' church politics.[113]

George's personnel decisions in the Privy Council direct our perspective, as it were, back to the role of the prince. The basic assumption that George's reign was marked by the personal governance of a strong prince who thought in patriarchal terms is not in the least relativized by our observations about his counselors, since the same sources show us repeatedly that Duke George personally laid down the guidelines to his church politics and that he kept the reins firmly in hand when those politics were to be implemented.[114]

His contemporaries were completely aware of this. It was not by chance that Luther refused to portray his adversary in Dresden as a weak ruler led astray by bad counselors. When Philip of Hessen employed this topos in one of his letters to his father-in-law (although of course only in regard to George's theological views), it attests to his inflexible use of patterns of argumentation, rather than precise political observation.[115] In the Privy Council itself, George

111 See ch. 23, section 1.

112 See Höss, *Spalatin.*

113 See Stievermann, *Landesherrschaft,* 251–260, 294.

114 This is also the assessment of the greatest expert on George's church politics, Felician Gess. See Gess, *Klostervisitationen,* 6 f.

115 "I request that Your Love […] may not believe more of the bishop of Meissen and Emser than what they can prove by means of the Word of God": letter from Landgrave Philip of Hessen to Duke George, Kassel, March 11, 1525, ABKG, Vol. 2, 67–75. See also Wolter, "Religionsgespräche."

seldom took on a *commissio*, but when the prince was out of the territory and corresponded with the "councilors left behind at home" in Dresden, we see how he determined his church politics, down to the details of an appointment to a benefice.[116] The drafts that he wrote and corrected with his own hand, or dictated to his private secretaries Emser, Vischer, and Pistoris,[117] are found everywhere in the Dresden records. They continually address central points, such as reform demands addressed to Bishop Johann VI in 1508, the first mandate against the Protestant movement in 1522, and the position taken on the question of religion at the Augsburg Diet in 1530.[118] This means that George was more than merely one who gave a name to innovative and independent church politics: he was their driving force.

2.3 *Partners and Advisers in the Territory*

The circle of advisers who could influence the decisions of the territorial government was wide. In part, members of the Privy Council wrote the position papers that prepared decisions.[119] Outside the Privy Council, important counselors such as Cäsar Pflug made recommendations that influenced the prince's decisions.[120] If we look beyond the narrower circle of power, it was

116 See p. 283–291.

117 Emser was George's private secretary from 1505–1510. Erasmus Vischer took over this function from 1510 until at least 1520; later, as chancellor, Pistoris had this task. See Gess, "Habsburgs Schulden," 222, 228; Volkmar, "Hofrat," 86 n. 60; on the political influence of princes' private secretaries, see Oestreich, 222 f., 232.—In one passage in his correspondence with Erasmus of Rotterdam, Duke George emphasized that he himself drafted all his letters, even (and particularly) when they criticized Erasmus. See the letter from Duke George to Erasmus of Rotterdam, Dresden, February 13, 1525, ABKG, Vol. 2, 39–41/Allen, Ep. 1550. Felician Gess demonstrates in one case that George drafted his letters to Erasmus in Latin, in his own hand, before they were transposed (by a secretary?) into polished Latin. See ABKG, Vol. 2, 528 n. 1.

118 See the articles of complaint by Duke George against Bishop Johann VI of Meissen [October 1508], Loc. 8985/25, fol. 9–11; letter from Duke Johann the Younger and Duke Heinrich the Younger to the ducal counselors in Dresden, Schellenberg, February 14, 1522, ABKG, Vol. 1, 271 f.; discourse (?) of Duke George at the Imperial Diet in Augsburg [Augsburg, end of September 1530], Loc. 10299/7, fol. 132–135, 139–143, Regesta: ABKG, Ms. Werl, nr. 2051 (draft and finished version both in his own hand).

119 For example, some counselors under the leadership of Chancellor Kochel drew up a memorandum in January 1523 on how to deal with the celebrated letter of Luther (January 3, 1523) in the Cronberg affair. See the memorandum of the ducal counselors [January 3–17, 1523], ABGK, Vol. 1, 419–421. On this, see p. 478–480.

120 See, e.g., the letter of Cäsar Pflug to Duke George, February 14, 1517, ABKG, Vol. 1, 69; letter of Duke George to Cäsar Pflug, Dresden, February 18, 1517, ibid., 72.

mostly the thirty to forty people whom the sources call "counselors" (sometimes with the addition "from at home," because they did not live at court) that served as advisers. This circle included people of varied social positions, who represented the functional elite of the land: bishops, cathedral canons, and clergy who were university teachers, on the one hand, and vassals from the high aristocracy, mayors, and jurists from the University of Leipzig, on the other. They all had official appointments as the prince's counselors and a double task: in addition to providing counsel, they were obligated to serve in legations and territorial commissions. The group of counselors "from at home" met as an assembly of counselors in March, 1503, but this happened seldom; usually, they carried out their tasks as individuals.[121]

If we turn to the clerical counselors, the first thing we note is that the bishops, who traditionally played an important role as high-ranking ambassadors and counselors,[122] played no role as counselors in territorial church politics. Instead, we see them as partners, or even objects, of these church politics.[123] On the other hand, the cathedral chapter in Meissen did justice to its reputation as the Wettin party. Duke George officially drew on the services of several canons as his counselors,[124] and the chapter as a body advised the prince when he resided in the castle of Meissen.[125] The prince's counselors included a number of clerics who were university teachers, such as the celebrated Erfurt canon lawyer Dr. Henning Göde, and the Leipzig jurist Dr. Johannes Seeburg.[126] But

121 See Goerlitz, 424 f.; Schirmer, "Herrschaftspraxis," 305–343; Volkmar, "Hofrat," 77, 83; taking the example of Moritz of Saxony: Held, "Berater," 53–65; for the wider context, see Reinhard, "Power Elites," and the essays in Asch/Birke.—Thirty-one counselors were invited in writing to attend the assembly of counselors on March 25/26 in Leipzig. See the announcement by Duke George, without place of writing, March 23, 1503, Cop. 108, fol. 204v.

122 See Streich, *Hof,* 156–158.—Woldemar Goerlitz points out that the bishops are no longer explicitly called counselors under Albrecht and George. See Goerlitz, 428.

123 See ch. 8, sections 1 and 2.

124 Cathedral provost Dr. Siegmund Pflug, cathedral provost Ernst von Schleinitz, cathedral dean Ulrich von Wolfersdorf, cathedral dean Dr. Johannes Hennig, cathedral dean Hans von Maltitz, Dr. Thamo Löser, Dr. Donat Groß. See Goerlitz, 424.

125 Nikolaus von Heinitz refers on one occasion to a meeting "recently in Meissen at the castle in Your Grace's parlors in the presence of Your Grace and of the chapter": letter of Dr. Nikolaus von Heinitz to Duke George, Meissen, May 9, 1506, Loc. 8985/24, unpaginated.

126 Dr. utr. jur. Henning Göde, canon, head of the collegiate church school, and finally (1506) dean at the collegiate church of Saint Mary in Erfurt, several times rector of the University of Erfurt and legal advisor to the city council. He is mentioned in a list of Duke George's counselors in March 1503, and he also served Elector Friedrich. Göde later moved to the University of Wittenberg, where he died in 1521 as provost of the college of All Saints at

even beyond the circle of officially appointed counselors, professional competence in canon law was an important factor. This applied above all to curial diplomacy, which relied on concepts for petitions and practical counsels from members of the curia such as Georg Pusch, Melchior von Meckau, Wilhelm von Enckenvoirt, and Raymond Peraudi. Saxon priests with experience of the curia, such as Donat Groß or Johannes Tetzel, the preacher of indulgences, were also advisers to Duke George.[127]

Theological advice was more rarely sought. Andreas Proles (1429–1503), born in Dresden, the vicar general of the Observant Augustinian congregation, had been recommended to George by his mother as a father confessor, and we are told that he gave the prince advice when he visited his native city.[128] In general, however, it appears that although George did make use of theologians for clearly defined tasks, he allowed them no influence on the guidelines of his church politics. For example, he frequently drew on the services of Hieronymus Dungersheim (1465–1540), a professor of theology in Leizpig who came originally from Ochsenfurt in Franconia. He was sent in 1511 to mediate in negotiations between the disputing reform groups within the Franciscan order, the Observants and the Martinians. Several years later, George gave him the task of responding to a Hussite pamphlet, and he composed a refutation that was published in Leipzig in 1514.[129] In the Reformation period, Dungersheim played an important role as preacher in the episcopal visitations from 1522 to 1524 and in George's "Counter-Reformation" campaign in Mühlhausen in 1525.[130] Finally, theologians and humanists who remained Catholic, such as Johannes Hennig, Hieronymus Emser, and Johannes Cochlaeus, served the prince through their writings.[131]

Civil servants occupied an important place among the secular counselors of church politics. Their reports about local events and problems were often accompanied by proposals for action, which George sometimes adopted

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the castle church, where his epitaph can still be seen today. See the announcement by Duke George, without indication of place, March 23, 1503, Cop. 108, fol. 204r; Gramsch, catalogue of persons, 681–686; Pilvousek, 208–220; Goerlitz, 524; see also p. 366 f.—On Seeburg as counselor, see the letter of Duke George to Dr. Johannes Seeburg, without place of writing, April 24, 1495, Cop. 105, fol. 141r; on his person, see Boockmann, "Lebenswelt."

127 See ch. 6, section 2.

128 See Butte, 168 f.

129 See Freudenberger.—On the negotiations at Zeitz in 1511, see ABKG, Vol. 1, XXXV; Schulze, *Fürsten,* 184.

130 See Freudenberger, 171–184, 394–397.

131 See ch. 13 and ch. 23, section 1.

directly.[132] Diplomats such as Dr. Dietrich von Werthern, a delegate to the Imperial Diet, also found a ready ear in the prince for their suggestions.[133] George often relied on the professional competence of the Leipzig jurists. The court judges as a body, and the faculty of law, were employed, sometimes simultaneously, as consultants, for example during the Reformation, when the question arose regarding an appropriate penalty for laymen who followed the new doctrine, thereby infringing upon ecclesiastical norms.[134] Dr. Johann von Breitenbach, who headed the faculty of law as professor from 1479 to 1509, was appointed as a counselor to Duke George, as was his son Georg, who was professor from 1524 to 1539. In this way they preserved continuity in times of stormy transition; while the father had presented an opinion in 1499 about the Roman canonization of Benno of Meissen, the son warned his prince in 1524 about the Lutheran sermons of Andreas Bodenschatz in Leipzig.[135]

3 Agents of Church Politics

3.1 *Counselors and Prelates*

There is neither government without an executive, nor successful politics without local implementation. George's church politics were based on a functioning territorial rule and made use of its resources, routes of communication, and instruments of government. Both the counselors at court and those "from at home"—many of whom were civil servants—served the Privy Council in the implementation of church politics.[136] When tasks were assigned, it was usual to select counselors who enjoyed prestige and influence in the relevant region—for example, Hans von Werthern, Dietrich von Witzleben, Christoph von Taubenheim, and Sittich von Berlepsch were employed in the Thuringian region, while Cäsar Pflug undertook critical missions in Osterland.

A rather unspectacular case study illustrates how the counselors were employed. In 1509, Archbishop Ernst of Magdeburg took a fancy to a monstrance

132 See, e.g., the letter from Sittich von Berlepsch and the municipal council in Langensalza to Duke George [Langensalza], December 9, 1522, ABKG, Vol. 1, 393 f. On the function of *bailliffs* as councilors, see also Schubert, "Umformung," 223 f.

133 See Lippert.

134 See the memorandum of the lay judges in Leipzig [shortly before July 3, 1523], Memorandum of the Faculty of Law in Leipzig, June 21, 1523, ABKG, Vol. 1, 535 n. 1.

135 See Volkmar, *Heiligenerhebung Bennos,* 71 with n. 251; letter from Dr. Georg von Breitenbach to Duke George, Leipzig, April 7, 1524, ABKG, Vol. 1, 638–640.—On the persons, see Schirmer, "Herrschaftspraxis," 349 f.

136 See ABKG, passim, and the numerous case studies presented in this book.

that belonged to the furnishings of the parish church of Oschatz. Duke George was very willing to do his cousin and political ally a favor. He sent his lord chamberlain, Jakob von Schönberg, to procure the monstrance. Jakob, however, returned empty-handed: the people in Oschatz were attached to their treasure. George was undeterred. He charged Wolf von Schleinitz, a counselor "from at home" who resided in Ragewitz to the east of Oschatz, to negotiate with the town council and the parish priest and to emphasize that the Archbishop was willing to offer compensation. When the people of Oschatz still hesitated, they were reminded, five days later, of the "serious view" that George took of the matter. The prince then learned to his satisfaction that the monstrance had been handed over to Ernst.[137]

In addition to secular counselors, members of the higher clergy acted on behalf of the prince. Bishops and abbots had the important role of visitations to monasteries, not least from the perspective of legitimation, although the visitation commissions always included secular counselors too. The canons of Meissen cathedral functioned as confidants of the prince within the Church and were involved in numerous proceedings, such as the canonization of Benno of Meissen. Finally, the great majority of George's contacts with the curia took place via Saxon clerics and members of the curia.[138]

3.2 *Bailiffs*

Local implementation of territorial church politics primarily relied on a group of local officials, the prince's bailiffs. The construction and extension of the system of official districts (*Ämter*; Karlheinz Blaschke coined the term "*Verämterung*") was an important element in the genesis of the Early Modern territorial state. The concentration of all the prince's manorial and judicial rights in the official district (*Amt*), which the bailiff (*Amtmann*) represented, led to an intensification of government through administration in a clearly bounded, spatially defined administrative unit. The bailiff's tasks included receiving income—the surpluses from the districts were an essential element of the Wettin budget—execution of justice, military protection of the district, and (his most recent task) the establishment of good police. Although a large number of lords of the manors and towns were exempted from the districts as immediately subject to the prince (the so-called *Schriftsassen*), the official districts formed the basic structure of territorial government on the local level.

137 See letters from Duke George to the municipal council in Oschatz, Dresden, March 10, 15, and 26, 1509, Cop. 110, fol. 95r, 101r, 112r; letter from Duke George to Wolf von Schleinitz zu Ragewitz, Dresden, March 10, 1509, ibid., fol. 96.

138 See ch. 6, section 2, ch. 8, section 3 and ch. 10, section 4.

For a large, and increasing, part of the population, it was in the bailiff that the territorial government became manifest.[139] The importance of the bailiffs is underlined not least by the fact that a kind of *cursus honorum* had developed in the fifteenth century, which made it possible for an ambitious young aristocrat to pass through service as an *Amtmann* and attain the confidential post of a counselor "from at home," in order to ultimately ascend to the Privy Council.[140]

Up to now, however, scholars who have studied local administration in Saxony have paid no attention to the bailiffs' role in the context of pre-Reformation church governance. All that has been mentioned, in passing, is the exercise of the prince's rights of patronage by pre-Reformation bailiffs.[141] The primary interest of studies in the history of administration is in the development of secular statehood, and this makes the ecclesiastical aspect appear peripheral. Besides this, there was the old thesis, elaborated especially by Karlheinz Blaschke, that territorial church governance was an invention and an effect of the Reformation. Since the Reformation did not have recourse to existing structures, but created new instruments in the visitation commissions and the consistories, the bailiffs dropped completely off the radar.[142]

It can nevertheless be shown that the bailiffs under Duke George were outstandingly important for the enforcement of territorial church governance. We should not be led astray by the fact that the church-political tasks of the *Amtmann* are not mentioned in the official instructions, and that the written records of the *Ämter* (to the extent that these go back to the pre-Reformation period) likewise give us no relevant information.[143] It suffices to look at the

139 The studies by Karlheinz Blaschke, which are of fundamental importance for the history of administration in Saxony, are now conveniently gathered together in a comprehensive collection of essays. See Blaschke, *Beiträge.* Among recent studies of the *Amt,* we can mention: Schirmer, *Grimma*; Streich, *Altenburg*; Kunze; for other regions in the Empire, see Hesse; Schubert, "Umformung"; Klingebiel.

140 See Streich, *Altenburg,* 57–59; Schirmer, "Herrschaftspraxis," 340.

141 See Blaschke, "Behördenkunde," 371.

142 See Blaschke, "Ausbreitung," 46; Idem, "Wechselwirkungen," 435–452.

143 The instructions—insofar as they have survived from the period of George's reign—concentrate above all on the economic supervision of the *Amt,* since this directly concerned the financial interests both of the prince and of the *Amtmann.* See, e.g., Instruction for the *Amtmann* in Dresden, undated [ca. 1500/20], Loc. 8233/1, fol. 101.—Official books as the core of a register in the *Amt* have survived for Leipzig and Sangerhausen. They record legal verdicts, oaths of truce, and court sentences (thanks to the *Amtmann's* judicial function), information about ownership of property, and copies of the prince's mandates.

missive books of the Privy Council to perceive that it was the bailiffs who put territorial church politics into practice.

Such practice began with patronage rights, although these were ultimately only of secondary importance, given the small number of Albertine church patronages.[144] For example, in January 1500, Duke Albrecht charged his *Amtmann* in Langensalza, Albrecht Spitznas, to induct Ernst Schmalstieg into the parish of Treffurt, and a missive by Duke George shows that the *Amtmann* in Herbsleben exercised supervisory rights over ecclesiastical fiefs in Ringleben.[145] Duke George's rebuke of the *Amtmann* in Dornburg in 1524 is particularly informative, since it reveals the whole extent of the secular supervision of the patronage parishes. The bailiff's tasks went beyond just the induction and protection of the parish priest: Duke George held him responsible for the state of construction of the priest's house, its movable furnishings, the state of the vineyards and fields of the parish fief, and even for the documents relating to the parish's possessions. The conclusion of the admonition of the newly appointed bailiff, Thomas von Molau, is startling: it ends with the injunction to "pay attention to the other parishes in the districts of your administration and exercise supervision more industriously and better than happened in the past."[146]

This charge is clearly beyond the sphere of church patronage. Ultimately, it places all the lower clergy in the *Amt* under the *Amtmann's* supervision. Accordingly, we find Molau's predecessor in office, Andreas Pflug, interceding in May 1520 on behalf of the towns of Dornburg and Vierzehnheiligen, which were not under the prince's patronage. The *Amtmann* submitted a petition, together with the towns, because of the unpriestly way of life of the parish priests there, which led the prince to propose to Cardinal Albrecht, who was the bishop responsible for the area, a common visitation of the parishes.[147]

Apart from the prince's rights of patronage, the bailiffs were the first authorities to whom complaints about the unpriestly way of life of the clergy, or a lack of church services, were to be addressed. In the final analysis, it was also

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They tell us little about church politics. See Goerlitz, 111; Loc. 9481/3, 9889/16, 9889/17 (official books of the *Amtmann* in Leipzig, 1495–1539).

144 See p. 278–282.

145 See the letter of Duke Albrecht to Albrecht Spitznas, Leipzig, January 13, 1500, ABKG, Vol. 2, 678, n. 5; letter of Duke George to Kunz Rudolf, *Amtmann* in Hersleben, no indication of place, February 5, 1495, Cop. 105, fol. 85v.

146 See the letter of Duke George to the *Amtmann* in Dornburg, November 1, 1524, ABKG, Vol. 1, 760–762.

147 See his letter to Cardinal Albrecht, Weissenfels, May 17, 1520, ibid., 120 f. On this, see p. 320–323.

through them that territorial church governance of the entire lower clergy was realized. Bailiffs monitored the prince's bans on brewing, which concerned the parish priests, and put pressure on farmers who failed to pay their dues to the clergy. They were switch points of communication between the parish clergy and the prince, and they executed the parish priests' wills after their deaths. Finally, they were the hard-hitting arm of territorial governance: they imposed bans on temporalities and even arrested clergy who had committed crimes. All this took place on instructions from Dresden, just as much as on their own initiative—but the latter is seldom evident in the sources.[148]

In principle, there was nothing new in what George did, for Wilhelm III had already envisaged using the bailiffs in this way. Ultimately, recourse to the bailiffs was an obvious action, since it was they alone who represented the territorial government locally. It is, nevertheless, an indication of the low intensity of the church governance of the Elector Friedrich the Wise that, although he did indeed charge bailiffs to supervise the accounts presented by the church elders, he did not (unlike his cousin George) make use of their executive powers for church politics.[149]

The prince relied on the bailiffs on other levels of church politics too. They were his soldiers in the daily running battle for control of the ecclesiastical court system when they implemented the prince's mandates to obstruct the ecclesiastical courts and they themselves arrested criminals. They functioned as the prince's controllers in the visitation of monasteries, and communicated his mandates about police and lay reform. They were extremely important as instruments of the prince's government in resisting the Protestant movement.[150] His omnipotent competence made the *Amtmann* the local arm of church governance.

One particularly effective sanction in the implementation of church politics vis-à-vis the clergy was the ban on temporalities: the *Amtmann* freed the peasants temporarily from the dues and services that they had been required to render to the clergy, thereby placing financial pressure on the latter. This technique of rule had its origin in the secular sphere, where the prince used it to discipline the *Schriftsassen*.[151] Both secular and ecclesiastical situations

148 See ch. 11.

149 See Pallas, "Entstehung," 146–151; Kirn, 107–110; Ludolphy, *Friedrich,* 381. On the suspension of the payment of temporalities under Wilhelm III, see p. 78 and 347.

150 See ch. 9, 10, 12, and 18.

151 See Goerlitz, 107.—One example, already located in the context of anti-Reformation repressions, is an order issued by Duke George against the *Schriftsassen* Georg Spiegel zu Neuhaus and Paupitzsch. Since the Lutheran Spiegel had refused to obey the com-

led George to make use of the ban on temporalities; for example, when Duke George was residing in his secondary residence in Schellenberg in 1509, he learned that the parish priest of Annaberg had failed to carry out his obligation to visit a religious celebration in Schellenberg and to make the financial offering that was customary on that occasion for three years. In a letter to the parish priest, George demanded that he take part in the commemoration of the dead and that he pay his arrears. He threatened that, should the priest fail to do so, he would instruct the *Amtmann* in Annaberg to "block your [temporal] fruits."[152]

The radius of action of the *Amtmann* was not restricted to those who were subject to his own *Amt.* Thanks to the authority of the prince and to his own very concrete discretionary power over soldiers who were subordinate to him, the *Amtmann* could even reach the subjects of the bishop of Meissen. For example, in his conflict with Johann VI, George charged his *Amtmann* in Dresden "to command and order [...] the subjects of the bishop of Meissen that they give him no tithes. Nor are they to obey and render him any service until new orders [...] are issued." The *Amtmann* presumably did not find it necessary to make use of the permission to "bring" the subjects (if necessary) "with serious measures to do so," since they themselves profited from a temporary exemption from paying their dues.[153] In the case of the commander of Griefstedt, who neglected to ensure that services were held in a chapel, George instructed the *Amtmann* "to take as much of the goods of the commander as are necessary for the appointment and the performance of divine service."[154] Here, the ecclesiastical tithes were diverted in the interest of the village communities that had complained about the lack of worship.

The *Amtmann's* role was not limited to the execution of the prince's commands. As the prince's local representative, he was more than merely the extended arm of the Privy Council in Dresden; he was its ear, and sometimes even its brain. Veit von Drachsdorf, *Amtmann* in Quedlinburg, proved a good provider of ideas: George informed him in 1509 that he had followed his

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mand to sell his manors and leave the territory, George commanded Spiegel's subjects to refuse to work for him and serve him. See the letter from Duke George to the *Amtmann* of Delitzsch, Dresden, February 21, 1533, ABKG, Ms. Werl, Nr. 2462.

152 Letter from Duke George to the parish priest of Annaberg, Schellenberg, September 22, 1509, Cop. 110, fol. 235r.

153 Letter of Duke George to the *Amtmann* in Dresden, no place of writing, November 24, 1502, ABKG, Vol. 1, LXVI, n. 1.

154 Letter of Duke George to the *Amtmann* in Sachsenburg, Dresden, February 8, 1504, Cop. 109, fol. 22r. George's intervention was prompted by a petition by the village communities of Günstedt and Herrnschwende, which were affected. The commander assured Lord Marshall Heinrich von Schleinitz that public worship would be celebrated, but he did not kept his promise.

suggestion about action to be taken against an ecclesiastical trial of the Provost of Petersberg.[155]

Above all, however, we encounter the bailiffs as repeatedly being the first point of contact for the subjects. Some of the problems they succeeded in resolving on their own initiative never even reached the ducal court. When the peasants of the village of Zschernitz attracted the attention of the judicial vicar in Neuwerk because of contact with their squire, Hans von Dieskau, who had been banished because of debts, they were supported for a time by the *Amtmann* in Delitzsch, Georg von Benndorf. Whenever the judicial vicar had "summoned" the community and "examined" them because they had tolerated the banished squire, this act had been "warded off by the exceptional diligence of Your Highness's *Amtmann* in Delitzsch." The situation escalated when "the mother of our squire" was also banished, the parish priest celebrated Mass only in churches that were locked, and the judicial vicar summoned the entire village community to impress upon them "the prohibition of all contact." The peasants found it impossible to break off contact with the Dieskaus: "both of them, mother and son, do not want to avoid us, and we are unable to chase them away from us." It was only then that the community appealed to their "gracious and good prince of the land" and besought him "out of his princely goodness to ordain that the burden be taken away, and that we poor persons may not be deprived of Christian practice in this way." The *Amtmann* supported the petition (which he himself may have drawn up) by means of a letter to Chancellor Kochel. He saw that he had reached the limits of his own possibilities, and trusted in the prince's greater powers of enforcement.[156]

Another official to whom the subjects submitted their complaints was Sittich (the Younger) von Berlepsch, who was *Amtmann* in Langensalza for a lengthy period (1509–1532).[157] Berlepsch was not only *Amtmann*; from 1506 onwards, he was a counselor of Duke George and one of the most important buttresses of Albertine rule in Thuringia.[158] He was especially valuable thanks to his good contacts at the Hessian court where his eponymous father was

155 See the letter from Duke George to Veit von Drachsdorf, Dresden, December 26, 1509, Cop. 116, fol. 9v. On this matter, see Duke George's letter to Dr. Johann Pack, Dresden, December 26, 1509, ibid., fol. 9.

156 Petition of the community in Zschernitz to Duke George, October 24, 1520, ABKG, Vol. 1, 141 f.; note by the official at Neuwerk, undated, ibid., 142, n. 3; see the letter from Georg von Bendorf, *Amtmann* in Delitzsch, to chancellor Dr. Johann Kochel [Delitzsch], October 28 [1520], ibid., 142.

157 See p. 261.

158 See ABKG, Vol. 1, 26, n. 1; Werl, *Elisabeth,* 55–61; *creditio* of Duke George for Sittich von Berlepsch for an mission to Landgrave Wilhelm II of Hessen, April 25, 1506, StA Marburg, Bestand 2, III.B.55a), unpaginated.

hereditary chamberlain and had become major domo to the young Landgrave Philip in 1510, and where Sittich the Younger had served Wilhelm II and Wilhelm III in the 1490s.[159] Together with Christoph von Taubenheim, the *Amtmann* in Freyburg, Berlepsch played a central role in setting up an important alliance between Anna, the Landgrave's widow, and Duke George. He himself drew up Anna's petition for an alliance, and it was he who presented it to George.[160] As the servant of both princely houses and the *Amtmann* in Langensalza and Thamsbrück, he was perhaps the most powerful man in western Thuringia.

In church politics, Berlepsch distinguished himself by his especial zeal. In 1511, he arrested a citizen of Nordhausen who had infringed upon a mandate of Duke George with regard to the ecclesiastical court system, although the mandate itself required only a financial penalty.[161] Two years later, he requested the prince's backing for the action he took against an impending ecclesiastical trial.[162] Berlepsch proved a true buttress of territorial church politics in the Reformation period. Concern about insurgency led him to look with suspicion at the appearance of Evangelical preachers in Langensalza, whose offensive remarks he scrupulously noted, and he gave an early account of Müntzer's activities in nearby Allstedt. He worked closely with the town council of Langensalza in this matter. The *Amtmann* not only supplied the court in Dresden with information; he contributed his own suggestions about action to be taken against the adherents of Luther and, when hasty intervention seemed necessary, he even made arrests without consulting the court. Finally, when a mob of peasants conquered Langensalza in 1525 and compelled Berlepsch to lead them as their captain, George did not for one moment lose his trust in the doctrinal orthodoxy of his *Amtmann.* Berlepsch was able to remain in office even after the Peasants' War.[163] Men such as Berlepsch were thus more than mere henchmen; they were committed representatives of territorial church governance.

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159 See Demandt, 45 f.

160 See Landgravine Anna's request for an alliance, March 25, 1514; report by Christoph von Taubenheim to Duke George, June 9, 1514, Glagau, Vol. 1, 355–359. See also p. 502–504. On the subsequent role of Berlepsch, who styled himself Hereditary Chamberlain of Hesse from 1524 onwards; see also Küch/Heinemeyer, passim.

161 See p. 249.

162 See the letter from Duke George to Sittich von Berlepsch, Dresden, October 9, 1513, Cop. 112, fol. 305.

163 See the correspondence between Duke George and Sittich von Berlepsch, February 5, 1522—December 18, 1527, ABKG, Vols. 1 and 2, passim.

3.3 *City Councils*

The relationship of the Wettins to the towns in their territory was marked by clear power relations and cooperation largely free of tension. There were no free cities; the municipalities were either directly subject to the prince or his vassals. The prince's contacts were the town councils, whose composition he was able to influence indirectly by means of his right of confirmation.[164] George himself actually appointed the mayor in Grossenhain in the territory of Meissen.[165] The city councilors in Saxony—unlike in many regions of the Empire—were thus very willing to work for the extension of territorial government, since they regarded themselves as "commissioned by the prince to possess of official authority."[166]

From the perspective of the central administration in Dresden, the fundamental distinction between city councilors and bailiffs seemed to become blurred. Together, they were the most important functionaries of the prince on the local level. The intensity of the interventions by the prince is reflected in the missives of the Privy Council. Between 1503 and 1504, 28.7 percent of these were addressed to bailiffs, and 11.9 percent to city councilors.[167] Although the prince's mandates differed in form between the local authorities to whom they were addressed—bishops, prelates, counts and lords, gentry, bailiffs, cities—they often made no differentiation in their treatment of bailiffs and city councilors. A mandate about coinage issued by Duke George in 1497 commands "you, *Amtmann*, that you are to make known to all our vassals and subjects of your *Amt*, and you, councilors, that you are to make known to all your fellow citizens and inhabitants from now on and to take great care to see that where anyone in the *Amt* and towns is found to deserve punishment, he and they are to be thrown into prison by you, *Amtmann*, and you, councilors, and each one is to be kept there and punished for a period in keeping with what he has done."[168]

The town councilors were also central actors in the field of church politics. On George's instructions, the town council of Oschatz issued a police ordinance in 1501 against "sinful and shameful conduct on the part of the common

164 See Steinführer, "Albrecht," 213–221; Blaschke, *Geschichte Sachsens,* 232–251, 261–265.

165 See the letter from Duke George to the municipal council in Grossenhain, Dresden, August 26, 1511, Cop. 116, fol. 166v. He informs the council that the new election of the mayor must be postponed, since he had no time to designate a suitable candidate.

166 Karlheinz Blaschke, quoted from Steinführer, "Albrecht," 225.

167 See Volkmar, "Hofrat," 93 f.

168 Letter of Duke George about the change of coinage, Schellenberg, November 23, 1497, Loc. 14954, Collection of Mandates, fascicle "1497," unpaginated.

folk there among you with playing, excessive drinking and other useless activities that have been customary […] in order that God's displeasure and harm to the people […] may be warded off and the situation may change."[169] The prince spurred the Leipzig councilors to action in 1511 in order to compel the Leipzig citizen Caspar Reichenbach to abandon his suit before the ecclesiastical court.[170] Similar to the role of the *Amtmann*, the city council was a body the people could bring their complaints, and it supplied the prince with information about the situation of the church.[171] In the Reformation period, the loyal councilors who were faithful to the old religion retained the upper hand in the Albertine towns so that Duke George could employ the municipal council to support his anti-Reformation politics in towns such as Leipzig and Langensalza.[172]

4 Secular Politics in the Sphere of the Church? Six Theses

Our preceding observations about Duke George's personality and his governmental praxis can be summed up in six theses:

First, Albertine church politics were marked decisively by the personality of Duke George. Both the fundamental orientation and political significance of church governance and church reform, as well as innumerable individual decisions, were due to his influence. The strong position of the prince was undergirded by the contemporary idea of a patriarchal princely governance that had its starting point in the special responsibility of the sovereign for the good of his subjects' souls, and thus for the church as the institution of salvation.

Second, Duke George had a strong personal interest in questions of piety and the church. He displayed openness to the demands for new, more strongly internalized forms of piety, and to the reform discussion of his period. We can

169 Letter from Duke George to the council in Oschatz, no place of writing, October 26, 1501, Cop. 107, fol. 72v.

170 See p. 253.

171 Thus, Duke George demanded that the council in Sangerhausen compile a list of the complaints against the ecclesiastical courts in the diocese of Halberstadt, which would provide him with material for his planned negotiations with the bishop and the cathedral chapter. See his letter to the municipal council in Sangerhausen, Dresden, December 18, 1500, Cop. 106, fol. 164r.

172 See p. 512 f. and 548–554 (Leipzig); p. 539 f. (Langensalza).

single out, as special personal influences on George, his early ecclesiastical career, his ecclesiastical education, and his profound knowledge of the Bible, which gave him a high level of personal competence in the questions of church reform.

Third, Albertine church politics originated in the Dresden Privy Council, the central decision-making organ of the ducal government. The principal decision makers were those persons who otherwise had the greatest influence in territorial administration, the counselors from the lower aristocracy and the chancellors. George initially appointed clerics to this office who had studied canon law; later, he appointed citizens who had studied Roman law. Theologians and canon lawyers had merely an advisory share in the formation of church politics.

Fourth, the leading role of secular personnel left its imprint on the spirit and shape of church politics. The dominance of aristocratic elites was symptomatic. The protagonists were often much more familiar with the secular praxis of government than with the subtleties of canon law. In many areas, the prince's church politics were marked by the adoption of secular techniques of rule. This applied to measures such as the ban on temporalities and the use of arbitration commissions, but it can also be seen in the recourse to local administration.

Fifth, Duke George's church politics relied on local structures of territorial governance, making use of their personal resources, routes of communication, and instruments of rule. This is a fundamental difference between pre-Reformation church governance and that of the Reformation, which built up new structures with consistories and visitation commissions. The bailiffs had a central role. George's church governance derived its strength from the functioning interplay between the center and the periphery. The local agents supplied the center with information, carried out its decisions, and acted on their own initiative in local conflicts in accordance with the guidelines laid down by the prince.

Sixth, since Duke George's church politics were shaped by secular councilors and bailiffs, it appears both in its genesis and in its implementation as the transference of secular politics to the sphere of the church. In its contents, however, it was marked by the ideals and concepts of the spiritual discussion of reform, in which the prince himself displayed great interest.

CHAPTER 6

Papacy and Council

1 Saxony: Far Distant from Rome?

Before we can investigate Duke George's church politics in relation to the papacy, we must begin by clarifying its starting point: What was the structure of the connection between the Wettin territories and Rome, as the center of Western Christianity, around the year 1500? What contact zones existed? Which groups of people and which themes determined the interaction? Further, abstracting from these questions: Can these contacts be called intensive? Were they the expression of a reciprocal dependence? Did they remain sporadic, or were they matters of chance? When we ask these questions with regard to the years around 1500, we are choosing a particularly significant period because it ultimately marked the period when Luther appeared on the scene. In other words, it touches on one of the central questions of research into the Reformation: Was the division caused by a crisis of the church? There can be no doubt that it is especially interesting to discuss this question with regard to Saxony, the country where the Reformation was born.

Despite this, research regarding the regional history of Saxony has not even started to explore pre-Reformation relations to the curia.[1] A first approach therefore requires us to have recourse to wider scholarship. In the German historiography of the Reformation, the relationship of the Empire to the papacy was traditionally described as narrow but one-sided; while the Germans scarcely had any influence at the Italianized curia, the curia exploited the weakly governed Empire through indulgences and annates to a far greater extent than any other country. This view is based on one of the best-known sources for that epoch, the Gravamina of the German Nation. In recent years, however, this picture has been fundamentally revised by the studies of Erich Meuthen and Götz-Rüdiger Tewes.[2] They rightly point out the stereotypical character of the Gravamina, which exaggerate for purposes of propaganda, and they relativize the significance of the flow of money to Rome by comparing the sums that came from other European countries. This is very instructive, since the

1 About the significance of Vatican sources to regional history, see Schwarz, "Nutzen"; Bünz, "Thüringen und Rom"; Brosius.

2 See Meuthen, "Reiche"; Tewes, *Kurie und Länder*. For a similar assessment from the English perspective, see Thomson.

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payments from the allegedly Gallican and free France are many times higher than the German sums. Another Gravamen, the usurpation of German benefices by foreign members of the curia, turns out, on closer examination, to be an exaggerated topos.[3] Tewes resolves the contradiction between perception and reality by identifying the reason for the German discontent as having been the increasing mutual alienation on both sides. While the French maintained close contacts with the curia and were recompensed for their payments by political participation and valuable services, the Germans kept their distance and felt exploited when they too were required to pay. On this reading, therefore, an increasing distance, which found expression on various levels, shaped the relationship; the Germans stayed away from the curia and granted the papal wishes only grudgingly. For the Renaissance popes, on the other hand, whose political interest concentrated on the Italian peninsula and the foreign powers that were active there, the Empire increasingly became *terra incognita.* In particular, the Roman perspective regarded the northern and eastern regions of the Empire as a periphery from which, in turn, "there were scarcely any contacts with the curia."[4] This is presumed to be particularly true of Saxony.

Although the relations between the Empire and the curia were on a lower level than those in southern and western Europe, there still existed a multiple network of relationships. There has recently been a very intensive investigation into these contacts and the groups that maintained them, especially for the fifteenth century; the tempo of research has been dictated by the continuous expansion of sources as the Repertorium Germanicum progresses. Accordingly, we know much more today about the Roman benefices market and its attractiveness, and about the problems it caused for German priests. We also have a very clear picture of the activity and social origins of German members of the curia, their possibilities of exercising influence, and their living conditions.[5] This basis also permits us to reconstruct the relations between the Wettin territories and Rome.

The first and most important level of contact that we must mention is the demand for Roman favors. The Lateran registers give detailed information here. These registers of the bulls that were sent out from the papal chancellery contain the letters with which the pope granted spiritual privileges,

3 For similar observations focusing on the case of Brandenburg, see Priebatsch, Vol. 19, 428.

4 Tewes, *Kurie und Länder*, 357. See also Meuthen, "Reiche"; Brosius; Schwarz, "Nutzen."

5 See Frenz; Herde; Maas; Meuthen, "Auskünfte"; Meyer, "Pfründenmarkt"; Schuchard, *Deutsche*; Schuchard, "Deutsche"; Schuchard, "Karrieren"; Schwarz, *Schreiberkollegien*; Schwarz, "Klerikerkarrieren"; Schwarz, "Pfründenmarkt"; Sohn; for Central Germany: Gramsch, 389–424.

indulgences, and dispensation, made provision for ecclesiastical benefices, and granted the right to succeed to the possession of benefices. The granting of such favors always indicated an initiative from the region, since they were accorded only when a supplicant requested them in a petition and personally accompanied (and paid for) the laborious process of drawing up the documents in Rome.[6] This is the first level of contact. Sources attest that Saxony too availed itself of Rome as the administrative center of the church. For the reign of George the Bearded, a total of 171 bulls can be found in the Lateran registers alone. These concern the dioceses of Meissen and Merseburg, and thus the core area of Albertine Saxony. We should also note that this material only survives in one curial organ, the chancellery. We immediately notice a remarkable fact: 164 of the 171 entries come from the three decades between 1488 and 1521, with a slight decrease within this period. Things changed completely at the beginning of the Reformation period. Only seven entries can be verified for the two decades from 1521 to 1539. Although Albertine Saxony (as is well known) remained Catholic until 1539, the demand for papal favors virtually dried up in this region when the Reformation began.[7] The climatic change of the Reformation, with the massive shock to papal authority, can be felt directly here in the surviving papal documents.

Those who requested papal favors included not only the Saxon clergy, but also laypersons. The Wettin nobles were regular customers of the papal penitentiary, the body from which dispensations from infringements of the norms of canon law could be obtained. The granting of exceptions was needed for many marriages between the closely related Schleinitz, Pflug, and Carlowitz dynasties because they sought to contract marriages within the third and fourth degrees of relationship. In the summer of 1521 alone, such permissions were granted to three noble couples in Saxony and to a bourgeois couple in the

6 See Frenz, 53–180.—About the importance of Roman benefice markets to Central Germany, see Gramsch, 389–424; Willich; Schwarz, "Nutzen," 202–222.

7 See A. S. V., indices, no. 337–344, 346–363, 368 (in each case, rubric "M")—These data were compiled using the Lateran registries from the eighteenth century, since they provide more complete entries as compared to the surviving original documents. Of these, roughly 25% were lost during the transfer of Vatican archives to Paris under Napoleon. About methodology and the strength of the data, see Tewes, *Kurie und Länder*, 6–13.—My statistics include all entries about the dioceses of Meissen and Merseburg during Duke George's administration from 1488–1539. For better comparison, the number of years in office are given for each pope. These are the results: Innocence VIII ([1484]1488–1492): 4 years, 16 entries; Alexander VI (1492–1503): 12 years, 63 entries; Pius III (1503): 1 year, 0 entries; Julius II (1503–1513): 10, 49 entries; Leo X (1513–1521): 9 years, 36 entries; Hadrian VI (1522/23): 2 years, 1 entry; Clement VII (1523–1534): 11 years, 3 entries; Paul III (1534–1539 [1549]): 6 years, 3 entries.

diocese of Meissen.[8] The strict Roman norms equally affected the high nobility, who were closely related by marriage. Duke George needed Roman dispensations both for his own marriage with the Polish princess Barbara in 1496 and for the marriage of his son Johann to Elizabeth of Hessen.[9]

Another level of contact was legal proceedings before the Rota, the Roman court,[10] where Saxons brought complaints with regard to benefices, and where they were obliged to defend themselves against the claims of others. One example is the case of Dr. Thamo Löser, cathedral canon in Meissen, who was confirmed as archdeacon of Lower Lausatia in appellate proceedings before the Rota in 1497 after the same court had earlier accepted a competing claim by Eitelwolf von Stein, cathedral custos of Breslau. The Breslau cleric then resigned his claims into the hands of the pope, from whom Löser obtained, for a second time, the provision of this benefice.[11]

A third form of contact with Rome was far removed from legal conflicts: namely, pilgrimage. Alongside Jerusalem and Santiago de Compostela in Spain, Rome was one of the great pilgrimage destinations of Christendom; believers who visited these places had the prospect of gaining extensive indulgences. An especially large number of Saxons went to Rome in 1480, when Elector Ernst came to the Tiber with a large retinue. Duke Albrecht, George's father, had already visited the Eternal City in 1476 on his return journey from the Holy Land.[12] In 1517, the Albertine bailiffs Andreas Pflug and Christoph von Polenz

8 See A. S. V., "Penitenzieria Apostolica," Reg. Matrim. et Div. 67 [1521/22]. There, entries are found concerning marital dispensations for Georg von Schleinitz and Anna "Bomulrius [?]," April 5, 1521, ibid., fol. 9r; Simon Reinhart und Gertrud Berger "Misnen. [sis] dioc.[esis]," April 8, 1521, ibid., fol. 10v; Georg von Carlowitz and Anna Pflug, May 25, 1521, ibid., vol. 29v; Heinrich von Wolffersdorf and Barbara von Schleinitz, October 12, 1521, ibid., fol. 72v.—About the office of the penitentiary, the surviving records and its edition, which has now reached the year 1471, see Schmugge.

9 See Pope Alexander's bull for Duke George of Saxony, Rome, April 22, 1496, O.U., no. 9145. See also Schirmer, "Hochzeit," 186 f. About the marriage dispensation granted to Duke Johann in 1514, see Werl, "Elisabeth," 55.

10 About the role of Germans at the Rota, see Schuchard, *Deutsche*, 39; Gramsch, 403–408.

11 See Pope Alexander VI's bull to the provost of St Afra at Meissen, the cathedral provost at Naumburg and the official at Meissen, Rome, September 30, 1497, A. S. V., Reg. Lat. 1023, fol. 272r–273v.

12 See Thurnhofer, "Romreise"; Bünz/Volkmar, "Albertinische Herzöge." About pilgrimages of the Wettins, see also p. 88.

went on a pilgrimage to the city.[13] Luther was thus certainly not the only Saxon who became familiar with Rome on a journey.[14]

We are informed today about many German pilgrimages because the participants had their names entered in the book of the confraternity of the German hospice Santa Maria dell'Anima, near the Piazza Navona. This points to a fourth level of contact: the community of Germans who lived in Rome. Their colony had been a stable presence in the city since the ending of the schisms, and its principal members were clergy and craftsmen. During the fourteen years of the pontificate of Martin V (1417–1431), we know of 975 German members of the curia, and in the six years of the pontificate of Pius II (1458–1464), we know of no fewer than 764 persons. Of the 683 persons who belonged to the *familia* of Pope Leo X in the period from 1514 to 1516, thus forming the core of his court, approximately ten percent (seventy-two) were Germans.[15] Germans were thus one of the smaller nations among the members of the curia, which was dominated by Italians, but there were German office bearers in almost every curial body, usually on the lower and middle levels. These included a number of Saxon clerics whom we shall meet in the course of the present chapter.[16]

Further investigation of the relations between Saxony and Rome at the close of the late Middle Ages is an urgent desideratum. We already know that even for a region that had become peripheral, from the Roman perspective, there were more than merely sporadic contacts with the papacy, thanks to the continuing demand for curial favors.

It is this background that allows us to examine Duke George's curial politics. Our attention will not be devoted exclusively to its contents, goals, and outcomes; a primary interest will also be the practical and the prosopographical dimensions of curial contacts, since this aspect—to which scarcely any attention has been paid hitherto in the investigation of territorial church politics—promises to give us valuable insights into the conditions and prospects for success of the prince's interest-driven politics.[17] Our investigation can profit

13 Together with a certain Peter von Bernstein, they visited Nikolaus von Hermsdorff, Duke George's procurator. See Dr. Nikolaus von Hermsdorff's letter to Duke George, Rome, April 30, 1517, Gess, "Ablaß," 553.

14 About Luther's trip to Rome, see Brecht, Vol. 1, 105–109.

15 For the compilation of these figures, see Schuchard, "Deutsche," 81–88.

16 See the literature in n. 5. The Anima confraternity book is available in two older editions. See Egidi; Jaenig. About the shortcomings of these editions, see Schuchard, *Deutsche* 326–329.

17 On the curia politics of German princes, the studies by Helmut Rankl and Sabine Weiss are available. Rankl, however, does not use Roman sources, while Weiss has a different approach since she deals with the principality of an Archbishop. See Rankl; Weiss.

from recent intensive research regarding Germans at the late medieval curia and from a relatively good body of source material. When we look at the curial and the territorial Saxon material together, we can gain fresh insight.

2 Procurators and Petitions

Unlike his father Albrecht or his uncle Ernst, Duke George himself was never in Rome. Throughout his life, his ideas about the "court at Rome," its administrative bodies, and its personnel remained hazy.[18] The only way for him to have direct communication with the pope was via letters or briefs. The contents of the surviving testimonies to this correspondence concentrate on a few great themes of European politics, such as the question of a Council and the affair of Luther.[19] In accordance with the minor importance of Saxony in the interests of the papacy, this form of communication remained sporadic.

The varied links between the papacy and the territorial church politics must be sought elsewhere. They find their expression first and foremost in the prince's endeavor to gain privileges and other papal favors. Naturally, even a duke of Saxony was only one supplicant among many when he presented such concerns to the curia. It would therefore be misleading to speak of "diplomacy" in connection with Duke George's contacts with the curia, especially in view of the predominance of requests for favors, for these were not political relations between equal powers. On the contrary, the contacts between Dresden and Rome were marked by clearly unequal communication: the *dilectus filius* George requested the Holy Father for favors, and was obliged to take the bureaucratic path to get them; therefore the prince's procurators at the curia had a key role in the contact between Duke George and the papacy. They were transmitters, and at the same time lobbyists for the prince's concerns. Secondly, they were informants who brought "*nawen zceytungen*" from the papal court to Dresden.[20] Naturally, they had little possibility of direct contact with the pope.

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18 For the term "court at Rome," see e.g. Duke George's letter to Christoph von Laß, Dresden, August 30, 1512, cop. 116, fol. 266r.—In the case of the Rota trial regarding the Meissen deanship (see p. 228), Duke George acknowledged his unfamiliarity with the College of Cardinals and his uncertainty regarding which cardinal he might go to for support. See Duke George's letter to Dr. Johannes Hennig, Dresden, November 7, 1506, loc. 8987/37, fol. 21r–24r.

19 See below, section 4, and p. 475–478.

20 See Sohn, 96 f.—Regular reports about the political affairs at the curia were given by Nikolaus von Hermsdorff in 1516–1517. See Gess, "Ablaß." The quote is from Dr. Nikolaus

Their contact people were the curial officials, and their medium of communication was the petition.

The pope and his curia were usually Duke George's addressees in Rome. He seldom had contact with cardinals, for instance, in matters in which the cardinals in consistory had a voice, such as the confirmation of bishops and abbots, or the canonization of Benno of Meissen, prepared by a commission of cardinals.[21] Duke George could not adopt the praxis of great European powers promoting their own interests through a procurator who was a cardinal; the distance between the curia and the Empire was too great. King Maximilian I, who often quarreled with the pope, had scarcely any influence in Rome. Duke George made use of Maximilian's links to Rome only once—and unsuccessfully.[22] For a short period in the 1480s/90s, there was a cardinal protector of the German Nation in the consistory, Francesco Todeschini-Piccolomini (1439–1503), later Pope Pius III. For a few years, he was also a contact person for Duke George.[23] Among the procurators who were active on George's behalf, Melchior von Meckau had the red hat. In 1535, Nikolaus von Schönberg was also made a cardinal. As a close confidant of the Medici popes Leo X and Clement VII, he had already enjoyed considerable influence beginning in 1517. He decisively influenced Leo X's politics vis-à-vis Elector Friedrich the Wise at the election of the emperor and in the affair of Luther.[24]

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von Hermsdorff's letter to the Lord Marshal Heinrich von Schleinitz, Rome, August 21, 1516, ibid., 535–539.

21 See Volkmar, *Heiligenerhebung Bennos*, 69–100.

22 See Tewes, *Kurie und Länder*, 309–313; Thomson, 212; from the perspective of imperial politics, Rabe, 177–193.—The only attempt by George to use Maximilian's curia contacts was regarding the Annaberg jubilee indulgence. See below, p. 150.—The cooperation with Karl V in the Benno matter was more successful. Perhaps facilitated by Jakob Fugger, the emperor offered the services of his influential orator, Wilhelm von Enckenvoirt, and supported the canonization with letters to the pope. See Volkmar, *Heiligenerhebung Bennos*, 79–81, 94–96; Tewes, "Luthergegner," 340–342.

23 About the cardinal protectorate, see Schuchard, *Deutsche* 202 f.; Strnad, "Frühzeit"; Duke George turned to Piccolomini, who was named *Cardinal Senensis* after his episcopal office in Siena in 1494 and 1495 (see n. 41 and 182; see Eubel, Vol. 2, 13, 235). A letter sent to him in 1498 was one of three in which Abbot Martin of Altzelle pleaded for the canonization of Benno of Meissen at George's request. Carl Friedrich Seyffarth's edition of letters is to be corrected. Seyffarth incorrectly reads "*Cardinalem Senem*" (Seyffarth, 79) and therefore assumes that the letter was addressed to the oldest (*senex*) of the cardinals.

24 According to Don Juan Manuel, the imperial emissary in Rome, Schőnberg was one of the three closest advisors to the Pope on political matters in 1520. See Kalkoff, "Prozeß," 382–414.

One final possibility of contact with the curia, namely, the presence of a *legatus a latere* in the Empire, was significant only on specific occasions. When such an opportunity arose, George was the first to make use of simple (and inexpensive) access to papal favors.[25] This is shown by the visit to Germany of the Cardinal Legate Raymond Peraudi from 1501 to 1504. In October 1500, the pope charged Peraudi to preach the Jubilee indulgence in the empire and to reform religious life, but the reception that met the legate in the Empire was extremely frosty. Political tensions with Alexander VI led King Maximilian to refuse him permission to enter the Empire for many months. Similarly, the Imperial Council at Nuremberg, for which Elector Friedrich the Wise spoke as governor, rejected the mission, referring to the financial exploitation of the Empire.[26]

Duke George took a different line. Peraudi, as a member of the commission for the canonization of Benno of Meissen, was necessarily an important contact person for him. As soon as he heard of Peraudi's mission, he dispatched several procurators to the legate, although the latter had not even entered the Empire. He made particular use of his procurator Dr. Günther von Bünau zu Schkölen; as commissioner for indulgences, he was also a collaborator of Peraudi.[27] In November 1501, Peraudi, who was in Brixen, granted two privileges for the church in Meissen (presumably at the request of Dr. Johannes Hennig, a cathedral canon in Meissen, whom George had sent to him), including an indulgence for those who visited Benno's sanctuary.[28] Finally, the cardinal visited Leipzig and Meissen at the turn of the year 1502 to 1503 and personally

25 Legates were of interest to petitioners because they could sign petitions in place of the pope and therefore grant certain requests in his name. See Schmitz-Kallenberg, XVII–XIX.

26 See Schmid, "Peraudi," 67–70.

27 On January 1, 1501, Duke George dispatched Lic. iur. Paul Brachtbeck; in February he corresponded with Bünau about suitable procurators. See ABKG, Vol. 1, LXXV, n. 1. Peraudi was given permission to preach the indulgence in Hapsburg lands in April, and in the Empire after September 11. However, he remained south of the Alps until the end of the year and was present in Trent on October 13 and in Brixen on November 11. See Schmid, "Peraudi," 73–82.

28 Hennig was appointed procurator on October 11, 1501. On November 11, Peraudi issued an indulgence of 100 days (the cardinal quantum) for visitors of Benno's tomb at Meissen. On behalf of the pope, he ordered Bishop Johann VI of Meissen to affirm the new charter of Meissen's cathedral chapter. Both actions were in line with the goals of George's church politics and the Meissen chapter, while indicating Hennig as procurator. See Duke George's letter to Dr. Johannes Hennig, October 11, 1501, ABKG, Vol. 1, LXXV, n. 1; Documents of cardinal legate Raimund Peraudi, Brixen, November 11, 1501, CDS, II, Vol. 3, 315 f.

negotiated with George about his intentions to promote church reform.[29] This, however, remained an isolated episode. For regular curial contacts, George relied entirely on his procurators in Rome.

2.1 *Duke George's Procurators*

In the course of the increasing differentiation of the papal administration in the late Middle Ages, *procuratores in curia* became an indispensable link between petitioners *in partibus* and the curia. Anyone who wanted to reach the pope's ears with his concern needed special knowledge of how business was done at the curia, since the curia refused to accept petitions that were not formulated in exact accordance with chancellery regulations. Besides this, the petitioner who employed a procurator could avoid the lengthy and costly journey to Rome, and this was all the more important because the protracted process of a petition being handled by curial authorities required the presence of the petitioner or his substitute. Nothing was done at the curia on the initiative of the offices themselves, but every step of the procedure had to be initiated by the petitioner or his procurator (*impetratio*), and had to be expedited by the payment of expenses. Thus, the procurators had an indispensable role in the functioning of curial routines.[30] In addition to the supervision of petitions, typical tasks of procurators also included acting as legal representatives before the Rota or paying money owed to the Apostolic Camera.[31]

The vast number of requests submitted to the pope for favors in the late Middle Ages gave many professional procurators a good livelihood. The annual number of petitions presented at the end of the late Middle Ages has been extrapolated to a figure between 14,000 and 23,000. The great majority of these concern the benefices of clerics, but bishops and chapters, cities and universities, princes and simple laypersons are also represented as petitioners.[32] Priests from all over Europe who had studied canon law settled in Rome permanently as professional procurators, and were regarded as belonging to the wider group of curial personnel. As many as 236 German procurators have been identified in the period between 1431 and 1474. The specialization that we observe refers not so much to particular regions as to particular issues or curial

29 After Bünau had already been preaching the jubilee indulgence in Albertine Saxony since early 1502, Peraudi came to Leipzig on December 31, 1502. On January 10, 1503 he reached Meissen, and on the 18th he was in Wittenberg. See ABKG, Vol. 1, XXXIII with n. 1; LXXIV with n. 2; Volkmar, *Heiligenerhebung Bennos*, 73 f.

30 See Sohn, 96 f. About this feature of curial business practices, see Pitz.

31 See Schuchard, *Deutsche*, 67–70, 191–204; Sohn, 61–127.

32 See Frenz, 80–90.

bodies. The procurators at the Rota and the penitentiary were institutionalized by the pope in colleges on the model of the curial bodies. In 1482, the college of the *sollicitatores litterarum apostolicarum*, with one hundred purchasable positions, was established. It was responsible for all the documents that were expedited by the chancellery and the Camera. To ensure their income, an extra document tax had to be paid, even when the petitioner did not in any way draw on their services. This led to the bestowal of the unflattering nickname *ianicerii* ("janizaries") on the college.[33] Many office bearers in the curia, including cardinals, took on procurations as side jobs; thanks to their positions, they were often able to carry out these tasks with particular efficiency. In principle, however, anyone who possessed an authorization of a client could appear before the curia as a procurator. It was only before the Rota and the penitentiary that special permission was needed.[34]

In the course of recent intensive research into the German clergy in the late medieval curia, attention has been paid to procurators. On the basis of Vatican sources, Christiane Schuchard and Andreas Sohn have analyzed the involvement of procurators in the curia, their everyday and social history, their careers, and their "collective biographies."[35] It is not by chance that the chronological emphasis falls on the late fourteenth century and the first half of the fifteenth.[36] The context of the present study opens up the possibility of an approach from regional history that links the Roman material with available sources *in partibus*. We shall look at the procurators, not from the broad Roman view, but from the perspective of one single employer—though naturally an employer with political weight.

A total of twenty-four persons can be identified as having been procurators for Duke George in Rome between 1496 and 1526. In some cases, we scarcely know anything beyond their names, but a highly detailed picture can be assembled of other men. In what follows, however, the spotlight will be not so much on the individuals, as on the common element of their activities as procurators. The comparative analysis of the procurators as a group will show whether we can speak of one type of ducal procurator, and to what extent their activity allows us to draw inferences about Duke George's church politics.

33 See Frenz, 212 f.; Schuchard/Schulz, 34–36.

34 See Sohn, 61–127; Schuchard, *Deutsche*, 67–70, 191–204; Schuchard/Schulz, 32–36, for the example of a priest from Lűbeck, Thomas Giese.

35 See Schuchard, *Deutsche*, 191–204; Sohn. About the concept of the collective biography, see Sohn, 245–259.

36 The *Repertorium Germanicum* already covers this period. See p. 45, n. 96.

Like many simple petitioners, the ecclesiastical and secular princes of the Empire made use of procurators in the fifteenth century. Their representatives sometimes called themselves *orator* (envoy), but "the concepts of curial procurator and envoy were still interchangeable."[37] In the course of the fifteenth century, the ecclesiastical princes were the first to have their own representatives at the curia, at least for a period; they were followed to a lesser extent by major secular rulers.[38] We know of a procurator of Duke Wilhelm III of Saxony in 1473, Hermann von Beichlingen (circa 1422–1498), an illegitimate son from the dynasty of the counts of Beichlingen. He had studied in Perugia and was a subdeacon at the collegiate church of Saint Severin in Erfurt. As "*orator domini Wilhelmi ducis Saxonie*," he was one of eighty-one German signatories to a petition that requested the release of the German priest Johannes Ditmar from the papal prison.[39] Among Duke George's contemporaries, Elector Friedrich the Wise employed Roman procurators, as did Bishop Johann VI of Meissen and Bishop Thilo of Merseburg. In some cases, these were the same men who were also active on behalf of the Albertine prince.[40]

At an early date, Duke George realized the necessity of an active representation of his interests in Rome. Already in the years of his regency, he had for a time an *orator* at the papal court. In 1494, he had entrusted the Saxon priest Günther von Bünau (zu Schkölen?), who was active at the curia as a protonotary, with a procuratorship.[41] The first known person whom Duke George sent

37 Schuchard, *Deutsche*, 193.

38 See Schuchard, *Deutsche*, 198–201. This already applied to the procurator generals of the religious orders. For the case of the Teutonic Order, which is especially well researched, see Beuttel; Forstreuter/Koeppen.

39 Petition from 81 German members of the curia to the pope, Rome, November 24, 1473, Schwarz, "Sixtus IV.," 379–383. About Johannes Dittmar, see ibid., 388.

40 Among others, Ulrich Sack, Georg Pusch and Valentin von Tetleben represented the Ernestines as procurators. Tetleben was also a procurator for the Archbishop of Mainz from 1513–1523 and in Duke George's employ from 1516. See Dr. Günther von Bünau zu Schkölen's report to Duke George [1505/06], ABKG, Vol. 1, LXIII, n. 1 and LXIV f.; Kalkoff, *Ablaß*, 25–36; Aschoff.—Bishop Johann VI named Jakob Gertewitz his procurator to the Fifth Lateran Council, See below, section 4.—On January 24, 1505, Bishop Thilo von Trotha had Antonius Nikolaus Sculteti administer his *Visitatio ad limina* (*apostolorum*). This way, the bishop was able to "visit" the pope without having to leave home. See A. S. V., Cam. Ap., Div. Cam., Vol. 57, fol. 114r. This form of virtual visits to Rome was accepted, since it generated another source of income for the curia. See Sohn, 96 f.

41 The issue was the confirmation of the newly chosen Abbot Georg (II) of Pegau (1495–1504), which he received from the pope on February 1, 1495. See Duke George's letter to Pope Alexander VI, Cardinal Francesco Todeschini-Piccolomini and Günther von Bünau, November 30, 1494, cop. 105, fol. 51r; about the abbot, see Vogtherr/Ludwig, 20.—Because

to Rome as his representative was Lukas Henil, a canon in Naumburg, who joined the confraternity of the German hospice of Santa Maria dell'Anima in Rome on February 2, 1496. Henil's description of himself as "*illustris principis d.*[*omini*] *Georgii Saxonie etc. ducis orator*" emphasizes that the young regent, even before the death of his father Albrecht, had already taken the shaping of Albertine church politics into his own hands, and that he acted *ad extra* under his own name.[42]

We know little about Duke George's first envoy and his activity in Rome, but we can clearly discern some traits that can be considered typical of the Saxon procurators who came after him. For example, like almost all his successors, Lukas Henil was a diocesan priest familiar with the Wettin territorial government thanks to his background in Central Germany (he came from Dresden and had studied in Leipzig). Like many of his successors, he held a canonry in a cathedral chapter in Saxony; in addition to a canonry in the cathedral of Naumburg, he was also dean of Saint Mary's church in that town and held a benefice in Meissen. He was qualified for his activity as the prince's advocate at the curia by his university degree in law. In addition to the *Magister in artibus*, Henil had also acquired a licentiate in canon law.[43] The pattern of Henil's stay in Rome is representative only of some of Duke George's curial advocates (who I refer to as "envoys"). He was entrusted with a specific mission and traveled from Saxony to Rome where he remained only until his task was fulfilled. He was at the curia in the first months of 1496 and then returned to Saxony. He was sent to Rome again on August 5, 1497, and his presence there is attested in October 1497.[44] We do not know the contents of his first procuratorship,

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the entry only reads "ern Gunther von Bunau", but two procurators with this name exist, I assume that the reference is to Günther von Bünau zu Schkölen. This is supported by two facts. It can be proven that Bünau zu Schkölen was active at the curia in 1493, while documents show that his cousin Günther von Bünau zu Elsterberg was present in Merseburg on March 9, 1494 and again on March 25, 1497. Furthermore, Günther von Bünau zu Schkölen had significantly closer ties to Duke George. See Volkmar, "Kurienprokuratoren."

42 "*A.*[*nno*] *D.*[*omini*] *1496, 2. Februarii, die videlicet purifi cat.*[*io*] *b.*[*eatae*] *Marie virg.*[*inis*], *receptus est in confratrem hospitalis dominus Lucas Hennel, canonicus Numburgensis et B.*[*eatae*] *Marie etiam Numburgensis ecclesiarum canonicus ac dicte ecclesie B.*[*eatae*] *Marie Numburgensis decanus nec non in ecclesia cathedrali Misnensi vicarius regalis, licenciatus in decretis, magister in artibus ac illustris principis d.*[*omini*] *Georgii Saxonie etc. ducis orator* […]," Jaenig, 90; likewise: Egidi, 48, which reads "*maioribus*" instead of "*canonicus*."

43 See ibid.; Mötsch, 14, n. 83.

44 Evidence of the first stay in Rome are the entry in the Anima confraternity book from February 2, 1496 (see n. 42) and the (inserted) bull of March 1, 1496 from Pope Alexander VI

but we do know that his second mission was important. In the name of the cathedral chapter of Meissen, who paid him 100 Rhenish guilders for his work, he endeavored (in vain) to get a canonization process opened for Benno of Meissen, a matter that was to become one of the principal concerns of Duke George's curial politics in the ensuing years.[45]

Finally, Henil did something that might be regarded as typical of all the procurators:[46] he used his stay in Rome to his own advantage. In the case of a late medieval cleric, that meant first and foremost the acquisition of benefices. On his first visit to Rome in the Duke's service, Henil obtained for himself a provision to the post of dean and a prebend at the cathedral of Meissen, as well as a dispensation from the incompatibility of his new office with the Naumburg canonry that he already possessed.[47] He did not, however, succeed in enforcing this claim in Merseburg, which is why he made use of his second stay in Rome to transform the provision, which had become valuable, at least into an expectation to receive a benefice in the church of Saint Mary in Erfurt.[48] The relevant bull also reveals that Henil had successfully endeavored to acquire honorific papal titles. He was made a member of the papal court as a "member of the family" (*familiaris*) and a "constant table companion" (*continuus commensalis*) of the pope; this made it much easier for him to acquire further benefices via the curial office for benefices.[49] At the same time, this meant (like his membership in the German confraternity of the Anima) that he was more strongly integrated into the association of the curial personnel, a decisive precondition, if his activity as procurator was to be successful. Finally (and this too is typical), Henil's experience at the curia made him

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(see n. 47). Evidence for the second stay in Rome are the assignment by Meissen's cathedral chapter of August 5, 1497 (see n. 45) and Pope Alexander VI's bull of October 14, 1497 (see n. 47).

45 See Machatschek, 566; Langer, 105.—For background, see Volkmar, *Heiligenerhebung Bennos*, 69–100.

46 Thomas Giese's (from Lűbeck) journal gives instructive insight into the possibilities, efforts and limits of acquiring prebends. See Schuchard/Schulz, 55–81.

47 The legal content of the March 1, 1496 bull is inserted in Pope Alexander VI's bull for Lucas Henil, Rome, October 14, 1497, A. S. V., Reg. Lat. 980, fol. 64r–66r, here fol. 64, beginning with the words "*Dudum si q.*[*ui*]*de.*[*m*] *sub dat.*[*um*] *v.*[*idelicet*] *k.*[*a*]*l. Martiipon.*[*tifi ca*]*tus sui n.*[*ost*]*ri anno quarto* […]."

48 See ibid.

49 "*Alexander etc. Dilecte filio Luce Henel cl.*[*er*]*ico Misnen.*[*sis*] *dioc.*[*esis*], *mag.*[*ist*]*ro in artib.*[*us*], *fami.*[*lia*]*ri n.*[*ost*]*ro salut.*[*em*]. […] *ac te q.*[*ui*] *et.*[*iam*] *co.*[*n*]*tinuus co.*[*m*]*men.*[*sa*]*lis n.*[*oste*]*r et in decretis licentiatus existis*." Ibid., fol. 64.—About familiares, see Schuchard, *Deutsche*, 128–131; Schuchard, "Deutsche," 87.

attractive to other employers. In 1507, he traveled to Rome in the service of the Count of Henneberg in order to obtain, *inter alia*, a privilege for the celebrated pilgrimage to the Marian sanctuary of Grimmenthal.[50]

2.2 *Curial Procurators and Saxon Envoys*

When we look at the Roman procurators of Duke George identified in the table, it quickly becomes clear that this is a heterogeneous group or, more precisely, that it can be divided into two groups. The most important criterion of differentiation was presence at the curia, which distinguishes the two groups. The first type will be called "curial procurator" and the second "envoy."[51] It goes without saying that both are understood as ideal types; in historical reality, they overlapped.[52] The first type of procurator can be defined by their continuous presence in Rome; they were members of the curia in a narrower or broader sense. This corresponds to the profile of procurators to which scholars up to now have given primary attention. In the case of Duke George, however, this schema fits only some of the people involved, since a second group, characterized by a brief stay in the Eternal City, was concerned with one specific procuratorship. Most of its representatives were secular priests who not only held benefices in the area immediately under the prince's rule, but were also regarded as members (and often leading members) of the local clergy. As we shall see, the membership of envoys in the ecclesiastical clientele of the prince can serve as a further criterion of differentiation. Two borderline cases concern men who were sent to Rome as secular counselors of the prince; one such was a *doctor utriusque iuris* from Bologna.[53]

Duke George employed both types of procurators from an early date. In a letter of January 26, 1501, he recruited three new representatives: after "some of the procurators and petitioners whom we have had at the Roman court have given up this office, and others have left Rome," he offered, in identical letters, Dr. Donat Groß, Dr. Dietrich Morung, and Dr. Bernhard Sculteti the appointment "by ourselves and our most noble […] brother, Lord Friedrich, the Grand

50 See Mötsch, 14.

51 Christiane Schuchard has also proposed a specific differentiation between different types of procurators, dubbing curia-based representatives as "Vertreter" and envoys as "Gesandte." In the course of her study, however, she focuses primarily on curial procurators. See Schuchard, *Deutsche*, 198–201; about Germans as members of the curia or visitors in Rome, see also Gramsch, 394–424.

52 Gunther von Bünau zu Schkölen appeared in Rome in 1494 as a curial procurator, but in 1504/05 as an envoy whose visit to Rome was financed by Duke George.

53 Dr. Dietrich von Witzleben. See Schirmer, "Herrschaftspraxis," 378.

TABLE 1 *Duke George's curial procurators in chronological sequence, 1494–1526*[a]

Name, lifespan	**Diocese (or district) of origin**	**Education**	**Important benefices, offices and honors at the time of procuration**
Bűnau zu Schkőlen, Gűnther von (ca. 1457/58–1519)	Naumburg	M.A. Dr. decr.	Dean of Naumburg, Canon of Magdeburg and Merseburg, pronotary, confidant, valet, *continuus commensalis;* sub-commissioner of Cardinal Peraudi for indulgences in Saxony 1489/90 (?) and 1502/03
Henil, Lukas	Meissen	M.A., Lic. in decr.	Canon of Naumburg Dean of St Mary in Naumburg
Sculteti (Schulz), Bernhard († July 30, 1518)	Włocławek (Leslau)	Dr. decr.	Notary of the Rota, papal pronotary, scribe, valet, acolyte, chaplain; provisor of the Anima
Groß, Donat (1463/64–1535)	Meissen	Dr. utr. iur.	Canon of Freiberg, Naumburg, Merseburg, and Meissen, confidant of Cardinal-nephew Giovani Borgia (†1503)
Morung, Dietrich	Bamberg	Dr. (decr.)	*sollicitator litterarum apostolicarum*, Canon of St Stephen in Bamberg
Witzleben, Dietrich von (ca. 1465–1532)	Halberstadt	Dr. utr. iur.	Layperson; counselor to Dukes Albrecht and George, judge of the princely court at Leipzig

Period of procuration	Contents
1494 [?]	Confirmation of the newly-elected Abbot Georg (II) of Pegau;
[before 1500], 1501	commissioning of several bishops, acting against the city of Groningen; canon lawsuit against Dr. Johannes Pfennig, priest at
1504, September	St. Annaberg; affirmation of the "Christian and proper obedience"[b]
1505, Autumn	of Duke George towards the newly chosen Pope Julius II; canonization of Benno of Meissen; Duke George's presentation rights for canonries at Meissen; privileges for Annaberg; confirmation of the *Privilegium de non evocandis subditis*; political support for Duke Friedrich the Elder, High Master of the German Order; indult for trade with Bohemia
February/March 1496–August/ October 1497	Canonization of Benno of Meissen
1501; 1506/07; 1509; 1516–1517	Matters of Duke George and Duke Friedrich the Elder; canonization of Benno of Meissen; Duke George's presentation rights for canonries at Meissen; removal of the interdict against the city and cloister of Chemnitz; Duke George's legal dispute with the diocese of Lűttich; jubilee indulgence for Annaberg; repayment of annates paid by Duke George for Magdeburg's coadjutor bishop
1501; Autumn 1505–1506	Matters of Duke George and Duke Friedrich the Elder; Canonization of Benno of Meissen
January 1501	Matters of Duke George and Duke Friedrich the Elder;
November 1503	Matters of Duke George and Duke Georg of Bavaria-Landshut

TABLE 1 *Duke George's curial procurators in chronological sequence, 1494–1526* (cont.)

Name, lifespan	Diocese (or district) of origin	Education	Important benefices, offices and honors at the time of procuration
Bünau zu Elsterberg, OT, Günther von (ca. 1450–1518)	Naumburg	Dr. decr.	Dean of Magdeburg, Bishop of Samland, papal confidant, and *continuus commensalis*
Schönberg zu Reinsberg, Hans von († 1537)	Meissen		Layperson; Duke George's counselor
Meckau, Melchior von (ca.1440–1509)	Meissen	attended university	Bishop of Brixen, cardinal, Provost of Meissen, apostolic scribe, provisor of the Anima
Schleinitz, Johannes von († 1537)	Meissen	attended university	Canon of Meissen; Bishop of Meissen
Emser, Hieronymus (1478–1527)	Konstanz	Lic. in decr., Bacc. theol.	Duke George's secretary
Schütze, Johannes			
Potken, Johannes († after August 7 1524)	[lower Rhenish]	Dr. decr.	Papal valet; apostolic pronotary; curial procurator; provost of St. George in Cologne
Vio, known as Cajetan, Thomas de, OP (1469–1534)	Gaëta	Mag. theol.	General of the Dominican order
Schönberg, Nikolaus von, OP (1472–1537)	Meissen	Dr. utr. iur.; Prof. theol.	Dominican general procurator at the curia, Archbishop of Capua, cardinal

Period of procuration	Contents
December 14, 1505–August 28, 1506	Confirmation of Duke Friedrich the Elder as coadjutor of Magdeburg
December 14, 1505–August 28, 1506	Confirmation of Duke Friedrich the Elder as coadjutor of Magdeburg
[1476], 1506; October 1508	Duke George's presentation rights for canonries at Meissen; legal proceedings in Rome concerning the appointment to the deanship of Meissen
1506/07; March 1509–May 1510; January–June 1523	Canonization of Benno of Meissen; Duke George's prerogatives in the reform of the secular clergy
1506/07	Canonization of Benno of Meissen
October 1508, August 1509	Duke George's presentation rights for canonries at Meissen; removal of the interdict against the city and cloister of Chemnitz
November 1508	Jubilee indulgence for Annaberg
1513 (–1517)	Representing Duke George at the Fifth Lateran Council
1513–1516; 1524; 1526; 1536	Canonization of Benno of Meissen; representing Duke George at the Fifth Lateran Council; transfer of Magdeburg's coadjutor bishopric to Duke Friedrich the Younger; repayment of annates paid by Duke George for Magdeburg's coadjutor bishop; incorporation of the Pilgrimage Chapel of Queckborn into the Dresden parish; jubilee indulgence and other privileges for Annaberg; Julius Pflug's commission as Canon of Merseburg; presentation rights for canonries at Merseburg

TABLE 1 *Duke George's curial procurators in chronological sequence, 1494–1526* (cont.)

Name, lifespan	**Diocese (or district) of origin**	**Education**	**Important benefices, offices and honors at the time of procuration**
Hermsdorff, known as Kißling, Nikolaus von († 1524)	Meissen	Dr. utr. iur.	
Tetleben, Valentin von (1488/89–1551)	Hildesheim	Dr. utr. iur.	Canon of Hildesheim, procurator of Cardinal Albrecht of Mainz and Elector Friedrich the Wise
Pusch (Busch de Hainis, Posch, Posth), Georg (1470?–1528)	Meissen	Dr. iur.	Notary of the Rota, confidant and notary to Pope Leo X; provost of St. Egidien in Breslau, Canon of Wurzen; procurator for Elector Friedrich the Wise and for the German Order
N. N., secretary to Giulio de Medici			
Miltitz, Karl von († 1529)	Meissen	attended university	papal scribe and member of the papal court
Enckenvoirt, Wilhelm von (1464–1534)	Lüttich	Lic. in decr.	papal datar, provisor of the Anima, orator for Emperor Karl V
Gertewitz, Jakob	Meissen	M. A., Lic. in decr.	public notary at the curia, canon of Bautzen
Hennig, Johannes († 1527)	Meißen	Dr. theol.	dean of Meissen

a For sources on and biographical sketches of the persons cited, see Volkmar, "Kurienprokuratoren."

b Duke George's letter to Cardinal Melchior von Meckau, Dresden [before November 7, 1506] spokesperson to His Holiness when our current Holiest Father, the pope, was elected to the

Period of procuration	Contents
August 1515; August 1516–September 1517	Incorporation of the Pilgrimage Chapel of Queckborn into the Dresden parish; jubilee indulgence and other privileges for Annaberg; patronage of the Tennstedt parish; Duke George's legal dispute with the diocese of Lűttich; repayment of annates paid by Duke George for Magdeburg's coadjutor bishop
August 1516; April–December 1521	Patronage of the Tennstedt parish; canonization of Benno of Meissen
August 1516–September 1517	Jubilee indulgence and other privileges for Annaberg
February 1517	Jubilee indulgence and other privileges for Annaberg
July–October 1517	Jubilee indulgence and other privileges for Annaberg; repayment of annates paid by Duke George for Magdeburg's coadjutor bishop
1519–1523	Canonization of Benno of Meissen
November 1517; March 1519–1520	Canonization of Benno of Meissen; accounting of Rome's portion of indulgence revenue from Annaberg; Duke George's presentation rights for canonries at Meissen; privileges for Annaberg; lawsuit involving an altar in Seelitz
December 1519–early 1521	Canonization of Benno of Meissen

Loc. 8987/37, fol. 25^{r}–26^{v}, here 25^{v}. Here, Duke George describes Bűnau's mission, "[…] sent as our Holy See."

Master of the Teutonic Knights in Prussia [...], to this office with regard to our affairs that have to be dealt with at the papal court."[54] Morung and Sculteti should be seen as representatives of the first type of procurator. Dietrich Morung is not mentioned again in the Saxon sources, but Bernhard Sculteti was often active on behalf of Duke George until his death in 1518. The above-quoted letter probably means that Duke George had previously had several curial procurators in Rome, whose names are not mentioned, but that they had either ceased to represent him or left Rome.

Sculteti (Schulz), who came from Lauenburg in Pomerania, diocese of Włocławek (Leslau) on the Weichsel, can serve as an example of a curial procurator. He was a doctor of canon law who had settled permanently in Rome in 1482 and established himself as a middle-ranking curial official. His most important position was as a notary at the Rota from 1493 to 1514. From 1514/15 onward, he was "apostolic scriptor" and held a number of honorific papal offices (cubicularius, acolyte, and chaplain). Sculteti, who lived (like many of his compatriots) in the Parione quarter near the Piazza Navona, played a key role in the community of German clergy in Rome. From 1503 to 1507, and from 1516 to 1518, he headed the Anima confraternity, with the title of Provisor. On his death, he left a fortune of more than 2,000 ducats. Sculteti's life was financed by several benefices or claims to benefices that were scattered over an extensive geographical area in the north and east of the Empire: the provostry in Walbeck, the deanery in Warmia and in Stettin, a canonry in Lübeck, the post of official in Roskilde, a parish in Danzig, and a vicariate in Magdeburg, his earliest verifiable benefice.[55] Sculteti was the constant contact person for Duke George in Rome, and he was involved in all the prince's business. Indeed, George appointed envoys to assist him, such as Johann of Schleinitz, later bishop of Meissen, in 1509.[56] In the most important of George's undertakings, the canonization of Benno, Sculteti had for a time a hinge function between the

54 Duke George's letters to Dr. Donat Groß, Dr. Dietrich Morung and Dr. Bernhard Sculteti in Rome, Dresden, Januar 26, 1501, cop. 106, fol. 185r, edited: Gess, "Ablaß," 543, n. 1.

55 See Frenz, 306 (no. 440); Hoberg, 200–202; Schuchard/Schulz, 26, n. 131; Tewes, *Kurie und Länder*, 102; Schulte, Vol. 1, passim; most important sources: Entry in the Anima confraternity book, May 3, 1491, Jaenig, 87; likewise: Egidi, 46; entry about his death, ibid., July 30, 1518, Jaenig, 254; Bernhard Sculteti's document in support of the Anima, Rome, July 29, 1518, Nagl, 29.

56 "Because we believe you are burdened with other tasks, we have instructed the respected and worthy gentleman Johannsenn vonn Sleinitz of Meissen to support you according to your orders and specifications. Therefore, you may make use of him for your wishes and needs." Duke George's letter to Dr. Bernhard Sculteti, Dresden, March 19, 1509, cop. 112, fol. 269v.

prince and the curia, since in 1514 the cardinals of the canonization committee appointed him as the curial coordinator of the canonization process.[57]

Dr. Donat Groß (1463/64–1535), mentioned in the same letter from Duke George, can—as Lucas Henil before him—be presented as a typical "envoy." After his studies, this scion of a patrician family from the mountain town of Freiberg set out on a career as a Saxon cathedral canon. He is first mentioned in 1497 as a canon of Saint Mary's church in his hometown; in 1501, he was a cathedral canon in Naumburg; shortly afterwards he had become a canon in Merseburg, and, no later than 1514, a canon in Meissen. The services he rendered George assured him the prince's benevolence. This link is clear in the case of the canonry at Meissen, since the rights of appointment to the chapter in Meissen lay entirely in the hands of the duke. Groß, who was a *doctor utriusque*, was once again active for George as a procurator. In a critical situation, he took over the matter of Benno's canonization from Günther von Bünau zu Schkölen, who had fallen from favor. On this visit to Rome, the "*dominorum Saxonie ducum sollicitator*" had his name inscribed by Bernhard Sculteti in the confraternity book of the Anima on October 27, 1505. Like Henil before him, Groß also succeeded in entering the association of curial personnel. It was probably on the occasion of his stay in Rome in 1501/02 that he became a *familiaris* of Cardinal Giovanni Borgia.[58]

In the ensuing period, Groß, as an ecclesiastical counselor of Duke George, was busy in various areas of church politics. In 1516, he carried out a visitation of the monastery of Pforte and negotiated with the parochial clergy in Thuringia about measures to be taken against the demands of the archbishop of Mainz for subsidies.[59] The knowledge that Groß had acquired through his activity as procurator subsequently made him an important adviser to the prince on Roman matters; for example, Duke George had Groß read through petitions before they were submitted to the pope.[60] Finally, Groß was also

57 See Volkmar, *Heiligenerhebung Bennos*, 77. The cardinals' letter of appointment rewrote Sculteti's assignment with the words "*Bernardum Sculteti* [...] *sindicum et procuratorem ad dirigendum et promovendum hoc canonisationis negocium specialiter per nos deputatum*." Document of Cardinal Francesco de Soderno, Antonius del Monte and Alessandro Farnese, Rome, June 10, 1514, Diplomatarien und Abschriften, A 55, fol. 156v–161r, here fol. 157v.

58 See Volkmar, "Kurienprokuratoren."

59 About the visitation at Pforte monastery on October 16, 1516, see ABKG, Vol. 1, XLI, n. 1; about the controversy over subsidies, see Dr. Donat Groß's letter to Duke George, Naumburg, April 28, 1516, ABKG, Vol. 1, LXXXV, n. 2.

60 See Dr. Donat Groß's letter to Chancellor Johann Kochel, Naumburg, October 25, 1516, Gess, "Ablaß," 543; Duke George's letter to Dr. Donat Groß, Dresden, January 16, [1519], ABKG, Vol. 1, 57 f.

active in the cause of Benno, both for the commission of cardinals and for Elector Friedrich the Wise as procurator.[61] The example of Donat Groß makes it clear that the envoys were not simple messengers; they were counselors with political experience.

A closer look at the social status of the curial procurators reveals the striking fact that they all held curial office. This clearly gave them a higher social position than the many simple procurators among the *curiam sequentes*. This means that the prince was able to gain people from within the papal administrative apparatus to represent his interests.[62] In general, however, his contacts—typically for the purpose of influencing German princes in Rome—were restricted to the middle level of the hierarchy.[63] One contributory factor was that even when George selected personnel from outside his own territory he restricted himself to Germans, and it was very seldom that Germans rose to top positions in the curia.

2.3 *The Transalpine Networks of the Procurators*

Consideration of Duke George's procurators as a group suggests that we should look not only for the link between the procurator and his employer, but also for possible interconnections among clerics. Recent scholarship has elaborated the method of prosopographical network analysis to answer such questions. Its attractiveness consists above all in its ability to display hidden structural connections.[64] The change of perspective to the side of the procurators can also help to avoid an overemphasis on the ruler's perspective.

There were frequent contacts between individual procurators in connection with the tasks with which they had been charged by the prince. Some projects, such as the securing of ecclesiastical privileges for Annaberg, could be tackled only by avowed teamwork,[65] but the clergy we are investigating were also in contact with one another outside their activity as procurators. It is possible to reconstruct genuine transalpine networks that linked the Roman clergy and the clergy in the local churches in a kind of parallel to the level of the prince's curial diplomacy. In addition to this diplomacy, therefore, there were alterna-

61 See Volkmar, *Heiligenerhebung Bennos*, 90 with n. 337 und 340.

62 This is covered by Christiane Schuchard's observations about procurators of German princes in the early fifteenth century. See Schuchard, *Deutsche*, 201.

63 See ibid.; Tewes, *Kurie und Länder*, 237 f. (with direct reference to Duke George).

64 See Reinhard, *Freunde*; Schwarz, "Patronage"; Gramsch as well as the articles in Maczak; for exemplary studies on the closer context, see Tewes, "Luthergegner."

65 See p. 149–157.

tive lines of communication between Saxony and Rome, some of which ran via one and the same person.

One such Saxon-Roman clerical network can be reconstructed by examining the papal provisions to benefices in Merseburg that are preserved in the Lateran registers. The noblest benefice in Merseburg, the provostry in the cathedral chapter, was the object of intense bartering around the year 1500. In 1493, Günther von Bünau zu Elsterberg acquired the provostry in Merseburg and a canonry in the cathedral chapter via papal provision. Bishop Eggert Dürkop of Schleswig († 1499), probably the most influential German member of the curia at that time, had put forward his case.[66] Dürkop not only furthered Bünau's career; he was also an associate of another German in Rome, Bernhard Sculteti, notary at the Rota.[67] In return for a yearly allowance of thirty florins, Bünau zu Elsterberg relinquished the provostry in Merseburg in 1499 in favor of Günther Bünau zu Schkölen.[68] This took place in the usual manner: the provostry was resigned into the hands of the pope, who then made the provision in favor of the designated successor.[69] Since Bünau zu Elsterbeg himself no

66 See Pope Alexander VI's bull for Günther von Bünau [zu Elsterberg], Rome, June 22, 1493, A. S. V., Reg. Lat. 939, fol. 57r–58v.—The Bishop of Schleswig, Dr. decr. Eggert Dürkop from Hildesheim (1489–1499) was the only German who achieved the high office of auditor at the Rota in the pre-Reformation period. About the person, see Schuchard, "Karrieren," 67, n. 98.

67 Upon Dürkop's death, Sculteti took over his rights to a major prebend and the rank of a thesaurer at Lűbeck's cathedral chapter. See the approved petition by Dr. Bernhard Scultetis from November 15/19, 1502, *Acta Pontificum Danica*, Vol. 5, 364 (no. 3903); Schuchard/Schulz, 26, n. 131.

68 Pope Alexander VI's bull of February 19, 1499 about this pension is preserved as a transumpt in a pair of papal documents (bull and *executoriale*), dated November 26, 1503. Bünau had Julius II's pension confirmed and an implementation mandate issued to the dean of Magdeburg, the choirmaster at Naumburg and to the official at Merseburg. Unfortunately, it remains unclear as to when this took place, since it was a bull in form of the incipit *Rationi congruit*. These forms were used for papal consents, which had been granted shortly before the death of a pope, but only issued by his successor and therefore dated on his coronation day [here, November 26, 1503]. There is no annotation about the computation of the chamber tax, which might provide another clue for assigning a date (see Frenz, 111). Possibly, the bull was issued only in connection with Bűnau's confirmation as bishop of Samland, which might be indicated by its entry in the Lateran register from Julius II's fourth year as pope (1506–1507). See Pope Julius II's bull for Günther von Bünau zu Elsterberg, Rome, [after] November 26, 1503, A. S. V., Reg. Lat. 1151, fol. 107v–109v, the transumpt ibid., fol. 108 f., the *executoriale*, ibid., fol. 109v–110v.

69 See Pope Alexanders VI's bull for Günther von Bünau zu Schkölen, Rome [May 16, 1499], A. S. V., Reg. Lat. 1043, fol. 325r–327v.

longer resided in Rome, he made use of a procurator, Bernhard Sculteti, for the act of the *resignatio in manibus papae*.[70] In 1502, Bünau zu Schkölen also resigned the provostry, which went into the hands of Dr. Sigismund Pflug. Bünau zu Schkölen, of whose Roman connections we shall speak below, also made use of a procurator for resignation. In this case, it was Donat Groß, which is how we know of his stay in Rome in the spring of 1502.[71] With Sigismund Pflug, the provostry in Merseburg disappeared from the field of vision of the Roman-Saxon network, but when Pflug died in 1513, Bernhard Sculteti obtained a papal provision to Pflug's canonry in Merseburg.[72]

Thus, there were business connections linking the most important procurators of Duke George in the first years of the sixteenth century: Sculteti, Groß, and the two Bünaus. These networks aimed at obtaining benefices or pensions, and their *ratio* was the mutual financial advantage. More light is shed on their direct contact by a bull issued by Pope Julius II on September 26, 1504.[73] This time the matter began with Bernhard Sculteti, who had attained the dignity of provost in the Merseburg church of Saint Sixtus during the lifetime of Alexander VI. In order to evade exclusionary clauses of canon law intended to prevent one man from accumulating high prelacies, he got the pope to unite this post with the provostry in the church of Saint Mary in Stettin, which Sculteti already held. On June 13, 1503, Sculteti had this *unio* dissolved again, and resigned the provostry of Saint Sixtus in favor of Donat Groß; we have no exact information about what he received in return. Groß retained the provostry—or only the claim to this post, since, as is well known, every papal provision first had to be enforced locally—for only one year, before he resigned it into the hands of the pope. In this act, he was represented by a priest of Halberstadt, Caspar Mor.[74] It is particularly interesting to see for whom the benefices that George's two procurators had moved around as their private property were now intended: Günther von Bünau zu Schkölen, on whom the pope bestowed the provostry on September 26, 1504, uniting it with the cathedral canonry in Merseburg that Schkölen already held. In the context of the bull, however, we not only hear of Bünau as a "*notarii et familiarii nostri*"; the

70 See ibid., fol. 325v.

71 See Pope Alexanders VI's bull for Dr. Sigismund Pflug, Rome May 23, 1502, A. S. V., Reg. Lat. 1101, fol. 157v–158v.

72 See Pope Julius II's bull for Dr. Bernhard Sculteti, Rome, April 29, 1513, Hergenröther, Vol. 1, 133 (Nr. 2303).

73 See Pope Julius II's bull [for Günther von Bünau zu Schkölen], Ostia, September 26, 1504, A. S. V., Reg. Lat. 1138, fol. 217r–220v.

74 See ibid., fol. 217v–218r (Narratio).

pope also stated that Bünau was "*etiam continuus commensalis noster*" and "*pro parte dilectorum filiorum nobilium virorum Friderici electoris imperii et Georgii ducis Saxonie ad nos et Romanam ecclesiam orator destinatus existis*."[75] This is the earliest attestation of Bünau's activity as the procurator of Duke George (and of Elector Friedrich the Wise) at the curia, a task that the doctor of canon law performed in Rome until the autumn of 1505.

It is difficult to estimate whether the activity as procurators of one and the same prince played a role in the choice of business partners. At any rate, it is impossible to prove any direct participation by Duke George in the dealings regarding benefices, and it is improbable. The decisive point was surely rather the mutual advantage that could be attained by means of the Saxon-Roman network. The clerics who lived at the curia had good access to papal favors, and they took advantage of this for themselves and others; it was possible for their partners *in partibus* to implement these claims on the ground locally. A May 1506 deal struck between Groß and Sculteti in Rome displays this division of labor. To begin with, Sculteti had acquired, through papal provisions, claims to the post of precentor in the cathedral chapter of Merseburg and to a canonry in the collegiate church at Zeitz. He resigned these in favor of Donat Groß, who shortly afterward returned to Saxony, where he had the opportunity to implement these provisions. In exchange, Sculteti received yearly pensions of seven or eight Rhenish florins.[76] As the example of Donat Groß shows, one and the same cleric could be active for many years in both roles, both in Rome and *in partibus*.

A second Roman-Saxon network appears a few years later in the circle of George's procurators. It was knit together by provenance and family relationships, the most important organizational principles of pre-modern associations.[77] All of its members were Saxons, and most of them were scions of the closely intermarried gentry in the service of the Wettins. Their interlocking first becomes visible at an unexpected place: in the lists of the provosts of the collegiate church of Saint Candidus in Innichen, in the subalpine diocese of Brixen, we find the names of two Saxons who were also procurators of Duke George. Johannes von Schleinitz was provost from 1507 to 1519, and his

75 Ibid., fol. 218r+v.

76 See Pope Julius II's bull for Dr. Bernhard Sculteti, Rome, May 27, 1506, A. S. V., Reg. Lat. 1199, fol. 261r–262v; execution mandate ibid., 262v–263v.—The bull also guaranteed Sculteti a pension for the Merseburg deanship, which was awarded to him on March 29, 1506 upon the death of Georg Steinbrecher, which Sculteti then resigned and passed on to Vinzenz von Schleinitz.

77 See Moraw, "Patrone," 8; Reinhard, "Oligarchische Verflechtung," 49 f.

successor from 1519 to 1526 was a "Georg Putsch von Hegkingen,"[78] a name that can be identified with Dr. Georg Pusch from (Grossen-)Hain.

These two priests owed their position in Tirol to the meteoric ascent of a third Saxon, Cardinal Melchior von Meckau. He too was active *en passant* as a Wettin procurator, but he made his fortune in Rome and in the service of the Habsburgs. Meckau went to Rome in the 1460s and held several middle-ranking offices in the curia. For some years he headed the confraternity of the Anima as Provisor before he left the Eternal City in 1481 and first became chancellor of Archduke Sigismund of Austria, and later, counselor and financier of King Maximilian. He owed his election as bishop of Brixen in 1489 to their good graces. Meckau died in 1509 in Rome as cardinal, and as one of the richest men in Europe.[79]

In July 1507, Meckau, who was also cathedral provost in Meissen, presented his fellow canon Johannes von Schleinitz to the pope as provost of Innichen.[80] This handover coincided with the first of von Schleinitz's three visits to Rome as George's procurator. Schleinitz owed his election as bishop of Meissen in 1518 to George's protection. Despite this, he requested and obtained at the time of the papal confirmation of the election a *retentio* of his benefices in Brixen, which were valued at 100 florins. In other words, he was exempted from the usual rules, which would have forbidden him from retaining these as bishop. In view of his biography, the argument that the provostry in Brixen would safeguard his independence vis-à-vis the Wettins must have seemed somewhat forged.[81] In fact, it is clear that in the following year, Schleinitz renounced the provostry that was allegedly so important as a place of refuge—and that he renounced it in favor of Dr. Georg Pusch.

Pusch, the third of George's procurators with links to the diocese of Brixen, was a key figure in the Saxon network thanks to his middle-level curial office. Johannes von Schleinitz had every reason to show his gratitude to Pusch for, in the curial informative process that preceded his confirmation as bishop in

78 Wolfsgruber, 425.

79 See Volkmar, "Kurienprokuratoren."

80 Pope Julius II's bull to Bishop Johannes VI of Meissen, Rome, July 2, 1507, A. S. V., Reg. Lat. 1206A, fol. 74v–76r.—In the late Middle Ages, the presentation rights were held by the bishop of Freising. The bishop of Brixen had the rights to confirmation/investiture. A new situation was apparently created by the Vienna Concordat, which awarded to the pope the right to fill the high offices in all cathedral and collegiate chapters with his candidates in all uneven months. Karl Wolfsgruber finds no further evidence of Freising influence past 1453. His supposition that Pusch was also a Freising canon, is probably faulty. See Wolfsgruber, 424 f.—My thanks to Dr. Thomas Ludwig (Rome) for making me aware of a "Saxon connection" at Innichen.

81 See p. 215–218.

July 1518, Pusch, as one of two witnesses, had spoken "*de meritis* [...] *domini Jo.*[*annes*] *Sleiniz promovendi*."[82] The close connection between his procurators did not remain hidden from Duke George, who summed up the business relationship of the two men in a letter to Schleinitz in 1519: "that Your Grace had a particularly good agreement and friendship with the same Dr. Pusch."[83]

The network of persons was thus held together not only by business related to benefices, but also by mutual promotion at the curia. We shall conclude by taking the example of Karl von Miltitz, who is well known from Reformation history, to make clear what career possibilities the network opened up. Miltitz too owed his brief career at the curia to the interlockings we have traced. He was a relative of Johannes von Schleinitz and Georg Pusch; most importantly, his uncle was Nikolaus von Schönberg, the influential assistant of the papal vice-chancellor Giulio de Medici.[84] This also shows that the family relations of the lower aristocracy in Saxony and their links to ascendant bourgeois and newly ennobled dynasties like the Busch's (Pusch) from Großenhain[85] were extremely relevant to the clerics who came from these families.

In addition to his position at the curia, Miltitz also owed his entry into the circle of Duke George's procurators more to his family relationships than to his diplomatic abilities. The Albertine Lord Marshall Heinrich von Schleinitz, another of his uncles, was behind his appointment.[86] It was, of course, up to Miltitz himself—whom older Luther scholarship incorrectly took to be an influential member of the curia—to throw away the opportunities that had opened up with actions that were both dubious and unsuccessful. Family relationships ensured an entry, but they were not a free ticket.

Finally, we can identify via Georg Pusch a link to the older network around Groß and Sculteti. It was not only in 1516 that the three men worked together on George's favorite project, the jubilee indulgence for Annaberg; they also

82 Notes for a consistorial speech by Cardinal Giulio de Medici [June 17—July 5, 1518], Friedensburg, "Informativprozesse," 177–181.

83 Duke George's letter to Bishop Johann VII of Meissen, Dresden, January 17, 1519, ABKG, Vol. 1, 62 f.

84 See Kalkoff, *Miltitziade*, 58–66; id., "Prozeß," 401–403; Springer, *Dominikaner*, 42 with n. 198.

85 Dr. Georg Pusch was Nikolaus von Schönberg's cousin, which provided access to the *Familia* of Giulio de Medici. He was incidentally also related to Karl von Miltitz. In 1519, Pope Leo X promoted him and his brothers (Matthes Busch, the Ernestine mountain bailiff at Buchholz and a priest named Gregor) to the nobility and allowed him to integrate the Medici balls into his family crest. Despite his elevation by the pope, Matthes became a supporter of the Reformation. See Kalkoff, "Prozeß," 389, n. 3, 399, Anm. 1.

86 Nikolaus von Hermsdorff's letter to Duke George, Rome, July 5, 1517, Gess, "Ablaß," 553–560; Heinrich von Schleinitz's letter to Duke George, August 19, 1517, ABKG, Vol. 1, 20–22.

seem to have been connected at an earlier date—or is it purely by chance that Pusch and Groß became members of the Anima confraternity on the same day in October 1506, and that the Provisor who received them was Bernhard Sculteti?[87]

Duke George's curial diplomacy, implemented in Rome by curial procurators and envoys, was thus not the only level of contact between the Elbe and the Tiber. The network of relationships between Saxony and Rome was much more diverse, and transalpine clerical networks played a determinative role. These networks, which aimed at mutual aid in the acquisition of benefices and in making a career at the curia, were held together by typically pre-modern structures such as provenance and family relationships, but sometimes only by similar interests. The concentration of these personal interlockings in the circle of Duke George's procurators seems remarkable. Was there a dependency here? Did the prince himself play a role in the construction of these networks, or did he only make use of already existing personal associations when recruiting his procurators?

There is no evidence that Duke George played any significant role in the formation of the clerical networks; indeed, it is difficult to even imagine such an influence on his part. The networks functioned independently of their members' activities as procurators. At most, one could imagine that the common service of the prince may have made their mutual contact more intensive. On the other hand, it is plausible that George may consciously have had recourse to the personal infrastructure of the networks, although there is no evidence of this (for example, letters of recommendation). In the last analysis, George needed to get hold of capable procurators who possessed relevant special knowledge, and what could be more obvious than to seek such persons among Saxon clerics who had experience of Rome, or among the Saxons who worked at the curia?

We must, however, note that Duke George did not make himself dependent on existing clerical networks and their interest in benefices. The personal interests of the procurators and those of their (temporary) employer did not always coincide. In 1517, for example, his envoy in Brussels, Jakob Loss, sent him a request for mediation. George had bestowed the parish of Oschatz on him, but Loss was confronted by demands for pensions put forward by the two curial procurators Georg Pusch and Jakob Gertewitz, who buttressed their claims to the benefice they had obtained in Rome by arguing that the parish had become vacant in *mensis papalis*.[88] The Duke reacted with extreme anger one year later when Karl von Miltitz, briefly his procurator, attempted in the

87 See Jaenig, 118.

88 See Jakob Loss's letter to Duke George, Brussels, October 10, 1517, ABKG, Vol. 1, 125, n. 1.

course of the confirmation of Johannes von Schleinitz in Rome to acquire Schleinitz's precentorship and prebends in the cathedral of Meissen. George knew the rules of canon law well enough to be aware that Schleinitz was required to renounce his canonry on his promotion to the episcopate, and that a provision in favor of Schleinitz' nephew Miltitz was possible. Since George intended to preserve his right of presentation, he took the precautionary measure of instructing the chapter in Meissen to ignore any claims that Miltitz might put forward, and he bestowed the post, without waiting for Schleinitz's resignation, on Dr. Nikolaus von Hermsdorff.[89] Miltitz's intrigues also prompted George to begin the process of having his rights of presentation in Meissen confirmed by the pope.[90]

In a similar case, Duke George himself made use of the clerical network in order to promote the interests of one of his Roman procurators in acquiring benefices. Dr. Nikolaus von Heinitz, formerly the Albertine chancellor, had become a cathedral canon in Meissen in 1506. In 1510, Duke George had also presented him to the provostry in Bautzen.[91] Although the provostry was traditionally linked to membership in the cathedral chapter of Meissen, Heinitz was repeatedly confronted by claims to the Bautzen prebend put forward by members of the curia in Rome. Duke George suspected—clearly with good reason—that behind these attacks lay a Saxon insider, namely Dr. Georg Pusch. He therefore resolved to put pressure on Pusch to make the claimant who had been put forward, a French member of the curia named Leodigarius Vicecomitis, abandon his claim. Instead of directly summoning his former procurator directly to give an account of himself, and perhaps appealing in vain to his loyalty to his prince, George chose a much more efficient way. He got Bishop Johan VII to intervene, since he "had a particularly good agreement and friendship with the same Dr. Pusch." This had the desired result.[92]

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89 See Duke George's letter to Dr. Nikolaus von Heinitz, Augsburg, July 30, 1518, ABKG, Vol. 1, 39 f.; Duke George's letter to the Meissen cathedral chapter, Augsburg, July 31, 1518, ibid., 40, n. 1. See also Kalkoff, *Miltitziade*, 65 f.—Miltitz, who had by then returned to the Empire, did not get the Meissen canonry until after Hermsdorff's death in 1524. See the entry of June 3, 1524 in Duke George's presentation book, ABKG, Vol. 1, 40, n. 3.

90 Duke George ordered procurator Jakob Gertewitz in Rome to write an appropriate petition and asked Donat Groß to evaluate it "to ensure that we or whomever we award such prebends to, can win such battles and challenges as are currently experienced." Duke George's letter to Dr. Donat Groß, Dresden, January 16, 1519, ABKG, Vol. 1, 57 f.

91 See ABKG, Vol. 1, 39, n. 2.

92 See Duke George's letter to Bishop Johann VII of Meissen, January 17, 1519, ABKG, Vol. 1, 62 f., the quote, ibid.—However, things did not remain settled for long, since the unsatisfied Frenchman again pressed his claims. In January 1519, there was once again a Roman pretender, Christoph von Schirnding (a German notary at the Rota), confirming these

These last examples indicate the boundaries of collaboration between Duke George and his Roman procurators, since one of the strategies of the territorial church governance was to prevent the success of Roman provisions within the sphere of the prince's rule. Duke George accepted no compromises, especially where his own rights of appointment were concerned. This means that the transactions concerning the provostry in Merseburg would have been unthinkable in Meissen.[93] On this point, there was a conflict of interest with the curial procurators, who always aimed to exploit the Roman system of provisions to their own advantage. In this context, it is significant that George never rewarded either the procurators from outside Saxony or the Saxons themselves for their services by giving them benefices to which he had the right of provision. With regard to methods of research, we see here the need to correlate the yield of prosopographical analyses with other sources. In doubtful cases, the historical reality is more complex and contradictory than is suggested by a simple assemblage of names that goes no further than a search for biographical points of intersection.[94]

The question of loyalties and interlockings in relation to the prince can thus be quickly answered. The fact that they held positions as curial officers meant that the activity of the curial procurators on behalf of Duke George could only have been a sideline. As procurators, they were often the servants of many masters. The best example here is Wilhelm von Enckenvoirt. The contact with Duke George could only have been of secondary importance to a man who was a high-ranking curial official, a confidant of Pope Hadrian, *orator* of Emperor Charles V, and the Roman go-between for the Fuggers. It is significant that Enckenvoirt never endeavored to secure benefices in Saxony, although he was known as a virtuoso "benefice hunter."[95] The interlocking and mutual obligation thus remained limited, even in the case of Saxon members of the curia such as Melchior von Meckau and Georg Pusch. The curial procurators

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claims to the Bautzen prebend. Duke George continued to believe that Pusch was at work behind the scenes ("because we have been informed that they [Pusch and Schirnding] lived together for a long time and are like brothers") and with reference to his earlier success, requested an intervention by Bishop Johann VII, who also personally knew Schirnding ("since we have learned that Cristoff von Zschirtinger is well known to your Excellency, and you were friends with him while you were in Italy.") Ibid. see also Kalkoff, *Miltitziade*, 68.

93 See p. 225–231 and 283–291.

94 With this in mind, Wolfgang Reinhard, who established interdependence analysis in German historiography, advises caution in interpreting results. See Reinhard, "Oligarchische Verflechtung," 61 f.

95 About the nearly 100 benefices held by Enckenvoirt throughout his life, see Munier.

of George belonged at best on the margins of his clientele system; indeed, he might have perceived them as troublemakers and adversaries in the sense of the courtesan stereotype.

The situation with regard to envoys was fundamentally different. They went to Rome as people trusted by the prince. They had often been in his service previously, and they owed their benefices to his protection. It was *they* who were able to hope that their services in Rome would be rewarded in the form of benefices. The difference is immediately clear in the group of procurators who obtained the jubilee indulgence for Annaberg: Duke George refused to bestow on the curial procurator Karl von Miltitz the very canonry in Meissen with which he had rewarded an envoy, Nikolaus von Hermsdorff, for his merits.[96]

2.4 *Grace in Return for Money: Curial Routines*

Procurations at the curia were a laborious business. A letter communicating a papal favor was the result of a genesis of many steps, which took time, usually several weeks and sometimes more than three months.[97] Negotiations concerning the details of the content and the dues to be paid could drag on. Before the bulls were received, it was necessary to pay the taxes on which agreement had been reached. The success of a procuration was not always assured in advance; some projects never got beyond the status of a request. The procurator Günther von Bünau zu Schkölen describes in dramatic terms the fate of the petition in which Duke George asked in 1504/05 for the right to have influence on the ecclesiastical jurisdiction in Annaberg: "His Holiness has immediately torn up the petition and was unwilling to derogate or prejudice the *ordinario*."[98] The basic structure of the procurator's trade can be studied even today in a number of contemporary manuals,[99] but it is only rarely that documents have survived that allow us to follow the details of specific procurations.[100] Fortunately, more comprehensive sources about a number of Duke George's curial missions have survived in the Dresden *Hauptstaatsarchiv*. In addition to the correspondence about the canonization process of Benno of Meissen, which I have studied elsewhere,[101] we have the documents, already quoted, about the unsuccessful mission of Günther von Bünau zu

96 See n. 89.

97 See Frenz, 113 f.

98 Bünau's report, 1505–1506 (like n. 40); About Bünau's mission, see ABKG, Vol. 1, LXIII–LXV.

99 See Haller [with an edition of Dr. Jakob Ditten's *Procurator's Handbook* from 1525] Schmitz-Kallenberg.

100 For rare examples, see Schuchard/Schulz; Schmitz-Kallenberg.

101 See Volkmar, *Heiligenerhebung Bennos*, 69–100.

Schkölen and correspondence and a detailed account of the journey to Rome by Günther von Bünau zu Elsterberg and Hans von Schönberg in 1505/06.[102] The surviving material about a fourth proceeding stands out because of its sheer volume: the endeavors to obtain a jubilee indulgence for Annaberg in 1516/17. They offer an instructive and true-to-life picture of the negotiations that accompanied the genesis of a papal privilege.[103] This look behind the curtain deserves our special attention, not least because it leads us in terms of content, time, and space directly into the center of the problems that set the Reformation alight: the system of indulgences in Saxony in 1517.

One of the most important church-political concerns of Duke George was to build up church life in the mountain town of St. Annaberg, which he had founded.[104] The greatest financial challenge was the construction of an imposing parish church. In keeping with that period, one way of financing it was a major indulgence, which could be obtained only from the pope. Already in 1504/05, Bünau zu Schkölen had been charged with obtaining "some indulgences for S. Annaberg."[105] In 1508, Duke George again made contact with Rome and asked for help in view of the immense financial burdens of the church construction. In order to kindle the pope's interest, he pointed out the exposed situation of Annaberg on the borders of Hussite Bohemia. George suggested that the lavish ecclesiastical equipment of the town would have a propagandistic effect that could win back "*multos Boemos scismaticos ad obedientiam s.*[*anctae*] *Romanae ecclesiae*."[106] When George's arguments fell on deaf ears, he made contact the following year with King Maximilian I and asked him to intercede.[107] But all was in vain: as in the canonization process, Pope Julius II gave Duke George the cold shoulder in the matter of Annaberg too.[108]

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102 See loc. 8949/2.—About this procurator, see also ABKG, Vol. 1, 9, n. 1; Jaenig, 37 f.

103 See loc. 9827/22. The majority of relevant documents were edited by Felician Gess. See Gess, "Ablaß."—Aloys Schulte, who has already used Gess's partial edition, pointed out the exemplary significance of these sources. See Schulte, Vol. 1, 75.

104 See ch. 12, section 2.

105 Bünau's report, 1505–1506 (like n. 40).

106 Duke George's letter to Pope Julius II, Dresden, November 17, 1508, ABKG, Vol. 1, LXXX, n. 1. Duke George assigned Dr. Johannes Potken, a member of the curia from the lower Rheine area, to be procurator while asserting that Potken understood the situation in Annaberg from personal experience ("*qui nuper dictum oppidum vidit*").

107 See Duke George's instructions for Hans von Goldacker, Schellenberg, September 20, 1509, cop. 112, fol. 116v–118r.

108 See Volkmar, *Heiligenerhebung Bennos*, 74 f.

It was only under Leo X that things began to move. From the summer of 1516 onwards, a whole group of Albertine procurators endeavored to obtain papal favors for the town[109] under the leadership of Dr. Nikolaus von Hermsdorff, an envoy.[110] In accordance with instructions from the Annaberg council, he drew up three petitions, the most important of which requested a papal jubilee indulgence for the completion of the parish church in Annaberg and confirmation of the confraternity of Saint Anne that had its seat there, together with its processions, indulgences, and privileges.[111] But Hermsdorff was not acting alone. Nikolaus von Schönberg and Georg Pusch advised him on the formulation and submission of the petitions, since they were experienced curial procurators. Hermsdorff needed their help to an even greater extent in the ensuing negotiations, for after the pope had seen the summary that was presented to him by the clerk and—after some unacceptable passages had been expunged—had granted the petition with his signature, the procurators were required to attend the palazzo of the datary Sylvius Passerinus, where they were informed about the petition that the pope had signed, and learned what he was willing to grant.

It was at this point that the negotiations about the "*composicion*"[112] began. This payment for the favors granted was voluntary, formally speaking. These dues were not the usual chancellery taxes that were charged for the physical job of writing the bull, but a sum arrived at through free negotiations. Agreement had to be reached about this sum before the datary permitted the formal

109 See table.—Along with the indulgence, the main issues of the procuration were a papal confirmation of the St Anne fraternity and the altars in St Anne's church. By August 1515, with the agreement of Duke George, the Annaberg city council contracted procurators Nikolaus von Schönberg and Nikolaus von Hermsdorff for this purpose. See the letter from the mayor and St Annaberg city council to Duke George, Annaberg, August 27, 1515, loc. 9827/22, fol. 58.

110 For the following account, there are three detailed reports from Hermsdorff as main sources; further sources are referenced separately. See Dr. Nikolaus von Hermsdorff's report to Heinrich von Schleinitz, Rome, August 21, 1516, Gess, "Ablaß," 535–539; report from id. to Duke George, Rome, February 4, 1517, ibid., 550–552; report from id. to id., Rome, July 5, 1517, ibid., 553–560.

111 See Hermsdorff's report, August 1516 (like n. 110).—The "other" petition was aimed toward privileged status for the graveyard and Trinity Hospital, while the "little" petition requested exceptions that applied to the local situation: permission to work mines on holidays in case of "water emergencies" and a cessation of church asylum in order to facilitate the fight against crime in the young mining town.

112 Hermsdorff's report, February 1517 (like n. 110).

drawing up of the petition.[113] The negotiations included the question of how much of the Annaberg indulgence money was to be diverted for the construction of Saint Peter's in Rome, and how the accounting and the payment were to be carried out. The negotiations with the datary were thus the decisive arena for the success of their procuration. Their importance is further underlined by the fact that not only Passerinus, but also his predecessor, Lorenzo Pucci, took part as curial sub-negotiator.[114] It was *prima facie* a question of administrative dues. In reality, open haggling began, with both sides trying to secure the ideal outcome for their masters. Hermsdorff summed up, without any embellishment, the procurators' endeavor to achieve as favorable as possible an "exchange rate" in these negotiations, which followed the highly problematic principle of favors in return for money:[115] he felt the expectation "to work with all diligence to receive and accomplish as many articles as we can with as little money as possible."[116]

In these negotiations, the background knowledge of the experienced curial officials Pusch and Schönberg was truly worth its weight in gold. They were the only ones able to assess which offer was fair, in keeping with curial custom. Only they understood the finer details of the ways in which business was done; using these options cleverly could save money.[117] For example, Hermsdorff learned that the Fabbrica of Saint Peter's usually received one-third of the money earned outside Rome from jubilee indulgences and was thus able to reject as excessive the demand for half of the money, unlike Albrecht of Brandenburg in the case of Tetzel's indulgence for Saint Peter's. On

113 About the composition tax, see Frenz, 100; about Passerinus, datar from 1513 until June 1517, see ibid., 443.

114 From 1510–1513, Dr. Lorenzo Pucci (ca. 1458–1531), cardinal tit. Quatuor Sanctorum, was himself a datar to the pope and one of the most important curia officials of his time. See ibid., 395. His signature can be found on the indulgence bull for Annaberg.

115 Here, the flagrant offense of selling papal favors (simony in the case of prebends) was circumvented, since the petition had already been approved by the pope. The payment was then considered to be formally voluntary. See Frenz, 100.—About the comparable dealings of Albrecht of Brandenburg for the Mainz archbishopric, see Tewes, *Kurie und Länder*, 309 f.

116 Dr. Nikolaus von Hermsdorff's report to Duke George, Rome, February 15, 1517, Gess, "Ablaß," 552.

117 About the procurators' knowledge of curial procedures, see Frenz, 96; Sohn, 96 f.—Hermsdorff also learned quickly. For example, that is why he informed the Annaberg city council that the indulgence desired by several cardinals for the hospital should not be sought in the chamber or chancellery, but rather through the penitentiary. See Hermsdorff's report, August 1516 (like n. 110).

Schönberg's advice, Hermsdorff initially kept back the two smaller petitions in the hope that he could get them granted later on together with the main petition without having to pay further dues.[118] Nevertheless, Hermsdorff remained the central figure, because it was he who kept in touch with Dresden. After the first negotiations with the datary, he sent a detailed report to the Albertine Privy Council.

Duke George was not completely satisfied with what had been achieved, so he submitted the signed petition in Saxony for review by two clerics who had special experience in the matter of Rome and indulgences. No less a figure than Johannes Tetzel undertook the formulation of a new instruction that took account of George's wishes and of the specific indications of the Annaberg council. This instruction strongly influenced the content and the wording of the indulgence bull that was ultimately issued. George submitted Tetzel's text to his reliable procurator Dr. Donat Groß; he then had his chancellor, Dr. Johannes Kochel, add further clauses.[119] This means that the procurators in Rome were not working autonomously; Duke George and his ecclesiastical advisers played a central role from Saxony in determining the course of the negotiations, not least by defining the financial leeway and by making the money available via the Fugger bank in Rome.

In December 1516, Duke George sent the new instruction to Rome, once again addressed to Hermsdorff, while Schönberg, Pusch, and now also Bernhard Sculteti were charged in short letters to support Hermsdorff.[120] It is interesting that, in addition to the detailed questions about the jubilee indulgence, George once again made a request that the pope had already expunged completely from the first petition "with reference to the great disadvantage to the church's freedom that might result therefrom":[121] the abolition of church asylum, restricted to Annaberg, for those guilty of murder and manslaughter, in order to make it easier for the state authority to take action against the lawlessness in the recently founded mountain town. Hermsdorff altered the petition that had already been submitted in keeping with the

118 About Tetzel's indulgence, see Tewes, *Kurie und Länder*, 310.

119 See Johannes Tetzel's instructions with annotations by Dr. Johannes Kochels and a summary by Dr. Donat Groß [August/October 1516], Gess, "Ablaß," 543–548; Dr. Donat Groß's letter to Duke George, Naumburg, October 25, 1516, ibid., 543.

120 See Duke George's letter to Dr. Nikolaus von Hermsdorff, Leipzig, December 5, 1516, ibid., 548–550. The records of letter to Schönberg, Pusch and Sculteti ibid., 550.

121 Hermsdorff's report, August 1516 (like n. 110).

instructions he now received from Dresden. On this basis, he began fresh negotiations with the datary.[122]

The second stage of negotiations dragged on until the summer of 1517, due not only to the lengthy haggling about the amount of the *compositiones* and to the modalities of the Roman share in the money that would be raised: the organization of the payments also caused considerable delays. The Saxon procurators were completely dependent on the services of the Fuggers, but cooperation with the Roman agent of the Fuggers clearly suffered from frictional losses.[123] One practical hindrance was the loss of time involved in the communication among four parties—Dresden, Augsburg, the Fugger branch in Rome, and George's procurators. This meant that the procurators did not have the sums available that they were obliged to promise in the negotiations with the datary; because of the lack of credit with the Fuggers, they themselves had to step in and stand surety.[124]

More seriously still, Hermsdorff accused the Roman Fugger employees of supplying the curia with confidential information about his financial leeway behind his back, weakening his position in the negotiations.[125] When the curia finally demanded sureties for the payment of its third of the indulgence money for the entire twenty-five years, the agent refused to provide them for longer than a year, although the Fuggers had been promised a key to the indulgence

122 See Hermsdorff's report, February 1517 (like n. 110).—Felician Gess's interpretation is probably inaccurate where it suggests that Hermsdorff submitted a completely new petition (See Gess, "Ablaß," 548, n. 1). It was more likely an amendment (*reformatio*) to the existing one. This is supported by Hermsdorff's commentary that he "had altered and submitted the supplications." (ibid., 551; a similar choice of words "andern" (alter) is used in a letter from id. to id., Rome, February 17, ibid., 552), as well as the immediate continuation of negotiations with the datar without a new signature from the Pope. About the authority of the datar to alter already approved petitions, see Frenz, 100.

123 See Hermsdorff's report, February 1517 and July 1517 (like n. 110). Unfortunately Hermsdorff's reports do not name the Fugger's representative. Aloys Schulte believes that the negotiation partner was the broker Johannes Zink, a clergyman well known for his speculation in prebends. On the other hand, in 1518 a guarantee of Duke George's named Angelus Sauer as a Roman broker in retrospect. See Schulte, Vol. 1, 79, 279–289; Duke George's guarantee, Augsburg, May 15, 1518, ABKG, Vol. 1, 34.—About the importance of the Fuggers' Roman office to German contacts in Rome, see Schulte, Vol. 1; Tewes, "Luthergegner."

124 Thus, for security, Georg Pusch made available his "*officium notariatus*," a purchasable office at the curia. See Hermsdorff's report, February 1517 (like n. 110).—See also p. 157–161.

125 "With great effort, we have come to an agreement with the datar on the composition. Since he insisted on 2,000 ducats for a long time, […] I can only conclude that he was informed by a clerk of the Fuggers, that your Princely Grace had initially made provisions for a 2,000 ducat commission." Hermsdorff's report, July 1517 (like n. 110).

chest in Annaberg. Procurators Hermsdorff, Sculteti, and Miltitz thus found themselves constrained to give personal guarantees that the payments would be made in the following years.[126] It was only in 1518 that Duke George obtained from Jakob Fugger a surety for the next five years by obligating himself to Fugger. In 1521, the agreement was extended for a further three years.[127] Despite the negative experiences of his procurators, George also cooperated with the Fuggers in following missions to Rome. In questions of the transfer of money, but also in postal communications,[128] the Saxon prince was dependent on the Augsburg bank, since there were no alternatives.[129]

Hermsdorff's harsh criticism of the Fugger representatives in Rome should also be interpreted as an indication of the difficult psychological situation that affected the envoys. The problems began with the unhealthy summer climate and the expensive life in the Eternal City.[130] They were far from home, and

126 See Hermsdorff's report, July 1517 (like n. 110).—After the Fuggers rejected the guarantee, the second key to the indulgence treasury was given to the construction supervisor of St Peter's cathedral, Bartholomeus Ferratinus, who was represented in Saxony by the guardian of the Annaberg Franciscans. The contract penalty was set at 500 ducats per year to be guaranteed by the procurators.

127 See Duke George's guarantee, Augsburg, May 15, 1518, ABKG, Vol. 1, 34; Jakob Fugger's letter to Duke George, Augsburg, July 28, 1521, ibid., 180.

128 See e.g. Hermsdorff's report, July 1517 (like n. 110): "in the last days of the month of May, two letters from your Princely Grace arrived by way of the Fugger bank." The Fugger's postal service ensured the quick and secure transport of bulls and breves to Saxony. The indulgence bull issued on July 5, 1517, reached Weißenfels by July 18 at a cost of 30 ducats. See Dr. Nikolaus von Hermdorff's letter to Duke George, Rome, July 8, 1517, Gess, "Ablaß," 560; Duke George's letter to the court council at Dresden, Weißenfels, July 18, 1517, ibid., 561.

129 In particular, this was true for the final stage of the canonization process for Benno of Meissen's in 1518–1523. The cooperation seemed frictionless, perhaps due to the close personal bond formed by Duke George and Jakob Fugger during the Diet of Augsburg in 1518, when George was Fugger's house guest. See Volkmar, *Heiligenerhebung Bennos*, 87 f., 95; Tewes, "Luthergegner," 329–331. About further contacts between Duke George and the Fuggers, see Pölnitz, passim; ABKG, passim.—Collaboration with the Welser banking house concerning business in Rome first began in the late 1520s. The contact person was the Welser's broker at Leipzig, Hieronymus Walter, a close friend of Duke George's, who, for example, acquired marriage dispensations in Rome. Correspondingly, in 1528 a request was made from Langensalza to the ducal chancellor to contract Walter. This included a guarantee to cover the costs, and a petition written in Latin was already enclosed. See the letter from the Langensalza city council and Sittich von Berlepsch to Chancellor Simon Pistoris, August 5, 1528, loc. 7444/6, fol. 63 [the petition, ibid., fol. 64].

130 Hermsdorff wrote in July 1517 "As planned, I had hoped by God's will to soon be finished and to be gone shortly after Easter, but because of these problems with the commission,

faced a curia that was a hard bargainer; their partners were not always reliable and they were under tremendous pressure from their employer to succeed. This is why their reports from Rome are full of finger-pointing at third persons, while they endeavor to emphasize every success of their own.[131]

Hermsdorff's reports betray a fear of falling from the prince's favor, and this was certainly not unjustified. This had been the fate of Günther von Bünau zu Schkölen a few years earlier. Duke George had wanted him to obtain a bull that would confirm his right of presentation to the cathedral chapter of Meissen, but the bull accorded this right jointly to the Albertines and Ernestines. We shall speak elsewhere of the background to this affair.[132] The only point that interests us here is Bünau's presentation of the course of events in Rome when he attempted to justify himself, since it indicates a third problematic level, namely, the competition among procurators who served different lords. Bünau claimed that he had been the victim of an intrigue by the Ernestine representative, Ulrich Sack, who had got hold of Bünau's petition, which had already been submitted for signature. He had replaced this with another petition, adding the names of the Ernestines, and the unsuspecting (although clearly also careless) Bünau took this new petition to be drawn up in the curial office.[133]

The procurators of the Annaberg jubilee indulgence were spared this fate, since they finally succeeded in obtaining the privileges that George wanted. The final negotiations lasted for a month, and the datary was satisfied only when he was promised the entire sum of 1,600 ducats that Duke George had made available. The procurators counted as a success the fact that this *compositio* tax for the principal bull also covered the privileges that had been sought in the two other petitions.[134] Besides this, they were promised that the indulgence bull would be expedited *per secretariam*[135] (that is, by a secretary of the Apostolic Camera), and the designation of the bull in the *Registri Vaticani* attests that this is what happened.[136] According to Hermsdorff, this avoidance

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I must wait here during this hot and difficult term." Hermsdorff's report, July 1517 (like n. 110).

131 See e.g. Hermsdorff's report, July 1517 (like n. 110).

132 See ch. 8, section 4.

133 See Bünau's report, 1505–1506 (like n. 40).

134 See Hermsdorff's report, July 1517 (like n. 110).—On the other hand, unlike the main bull, these bulls and two breves that were derived from two smaller petitions were dispatched from the chancellery at full price. About the content of the petitions, see n. 113; about the privileges issued last, see Schulte, Vol. 1, 76 f.

135 Hermsdorff's report, July 1517 (like n. 110).

136 See Pope Leo X's bull, Rome, May 24, 1517, A. S. V., Reg. Vat. 1204, fol. 239–243, edited: Schulte, Vol. 2, 170–177.—About the dispatch *per cameram* and its documentation in the Vatican Registries, see Frenz, 132–140.

of the papal chancellery meant a savings of between 400 and 500 ducats. There was, however, a fee of 90 ducats for the drawing up of the bull *per cameram*, although in principle this cost nothing (because the Apostolic Camera was originally responsible for the political letters of the pope himself).

Finally, on July 5, 1517, Hermsdorff was able to hand over the bull *Salvatoris nostri* in the Fugger agency in Rome. It was sent by express delivery and took only two weeks to reach Duke George's court camp at Weissenfels. This meant that the jubilee indulgence could be gained for the first time in the mountain town on Saint Anne's feast day, July 26, 1517.[137] Soon after this, when the final document for Annaberg had been issued, Nikolaus von Hermsdorff left Rome, taking with him a wealth of experiences and a couple of pounds of holy soil for the cemetery of the new town in the Erz Mountains.[138]

2.5 *Financing: Shifting the Costs onto the Local Authorities*

The Renaissance popes are well known not only for their need of money, but also for their tendency to have covered this need through trafficking in ecclesiastical favors. Rome was always an expensive place, and this meant that Duke George had to reckon on spending considerable sums of money in order to implement his curial politics.

The costs of a journey to Rome were high, and a period spent in the Eternal City was even more expensive. This can be seen in the accounts of the procurators Günther von Bünau zu Elsterberg and Hans von Schönberg, who George dispatched in 1505/06 to obtain the pope's confirmation of the election of the High Master Fredrick as coadjutor of Magdeburg.[139] The curia demanded no less than 5,000 ducats for the dispensation that allowed him to hold both prelacies simultaneously. But the total costs of almost one and a half years' activity for the journey, the stay in Rome, expenses, and curial fees came to more than double this sum, namely 10,598½ ducats, 200 florins, and 2 kreutzer, or approximately 15,250 florins. The procurators recorded their accounts meticulously on twenty-eight pages.[140]

Duke George did not need to worry about personnel costs, because, unlike the professional procurators who worked in Rome for money, the

137 See n. 130. About the distribution of the Jubilee indulgence on St Anne's Day, 1517, see Schulte, Vol. 1, 170 f.

138 See Dr. Nikolaus von Hermsdorff's letter to Duke George, Rome, September 3, 1517, Gess, "Ablaß," S 561 f.

139 See p. 194–196.

140 The invoice of Dr. Günther von Bünau [zu Elsterberg] and of Hans von Schönberg, [after February 17, 1507], loc. 8949/2, fol. 78–91. The account included all assignments after the departure of the procurators from Halle on September 6, 1505.

representatives of the wealthy duke could not expect immediate payment for their endeavors. The emolument of 200 florins or 100 ducats that Nikolaus von Hermsdorff and Günther von Bünau zu Schkölen received for their one-year stay in Rome scarcely covered the cost of living.[141] We hear nothing of wages paid to the curial procurators, only of the "grateful good pleasure" of the prince.[142] This was not a blank check for remunerative benefices, as Karl von Miltitz learned when he attempted to get hold of the Meissen canonry of his cousin, Johannes von Schleinitz. Rewarding the services of clerics by bestowing benefices was a popular practice, because it cost nothing. In the case of the procurators, George did this only once, when he bestowed the canonry that Miltitz desired on the well-deserving Hermsdorff.[143]

By far the greatest expenditure was on the fees that the curia calculated for letters of favor: *compositio* taxes, chancellery dues, and the indispensable gifts for influential members of the curia.[144] The canonization of Benno of Meissen required expenditures of several thousand guilders.[145] The costs for the Annaberg privileges were similarly high. In addition to the *compositio* tax of

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141 In light of the meticulously detailed activities in Günther von Bünau zu Elsterberg's account, the complaints raised by his cousin from Schkölen a year earlier regarding insufficient funding seem entirely plausible "because your Grace can imagine what I had to spent during the expensive term that I was in Rome and was negotiating in said affairs. I have to tell Your Grace truthfully, that I spent more of my own money, than 100 ducats. What I had to spent for 4 horses, 3 servants and myself during a whole year under these expensive circumstance, will everyone know, who had to deal with it." Bünau's report, 1505–1506 (like n. 40).—About Hermsdorff's remuneration, see n. 150.

142 Duke George's letter to Karl von Miltitz, Dresden, October 14, 1517, ABKG, Vol. 1, 27 f.—Only Wilhelm von Enckenvoirt received a gold-plated cup in 1523. However, this was not intended as compensation for services as a procurator, but rather as a gift for being appointed a datar. The cup was originally intended for the Vice Chancellor Giulio de Medici, but George changed his plans on short notice when the Medici's were disempowered under Hadrian VI. See Duke George's letter to Bishop Johannes VII of Meissen in Rome, Dresden, January 4, 1523, ibid., 421–425.

143 See above, n. 89.

144 An example of bribery practices at the curia is represented by Karl von Miltitz's suggestion for how to achieve a repayment of the annates spent for the coadjutorship of Magdeburg. To get a repayment of the 4,000 ducats, Duke George agreed to Miltitz's proposal "to support this by distributing about 500 Rhenish guilders to be given away as honoraria." However, the plan came to nothing, which hardly raised Karl von Miltitz's standing with Duke George. Duke George's letter to Karl von Miltitz, Dresden, October 14, 1517, ABKG, Vol. 1, 27 f.

145 The exact amount cannot be determined, since the final composition tax is unknown. However, Duke George held 6,000 fl. ready at the Fugger bank to which a further 600

1,600 ducats and the fee of 90 ducats for the drawing up of the indulgence bull in the Apostolic Camera, roughly 300 ducats had to be paid for the chancellery expediting of the other three bulls and briefs. At contemporary exchange rates, this amounted to nearly 3,000 florins.[146]

In both cases, however, George succeeded in shifting the major part of the costs onto regional authorities in his territory who had interests in the papal favors. In the case of Benno, it was the cathedral chapter in Meissen that bore the entire cost of the canonization process, while the prince limited himself to a contribution of 1,000 florins. This fact is, however, discernible only on closer inspection, since all the payment transactions with the Fuggers were made via Duke George, who also guaranteed the solvency of the procurators by means of sureties.[147] We find the same pattern in the financing of the Annaberg procuration. Here, it was the council of the mountain town that paid the wages of Nikolaus von Hermsdorff. The financial records of Duke George do indeed include an expenditure of 2,380 florins for the Annaberg favors in 1517 (a sum that corresponded exactly with the 1,690 ducats that the indulgence bull had cost), but the Annaberg council had already promised George in October 1516 "two thousand guilders," so that, "God willing, there shall be felt no lack therein."[148] Duke George also sent the Annaberg council a bill for a papal brief that extended the jubilee indulgence.[149] The financial involvement of the prince, therefore, concentrated on the organization of the payment transactions via the Fuggers to Rome, and in this context, on sureties (e.g., for the

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ducats and 100 fl. were added in the end phase from 1518–1523. See Volkmar, *Heiligenerhebung Bennos*, 86–89 with n. 330 f.; 94 with n. 361.

146 The Fuggers set the exchange rate from ducats to Rhenish guilders at 1.42. Accordingly, Duke George posted the 1,690 ducat tax on the indulgence bull in his ledger at 2,380 fl. (see n. 148).—The 300 ducat loan that Hermsdorff took from the Fuggers in Rome to pay for the chancellery expedition of the three remaining documents was to be repaid in Leipzig within four months, including interest ("with accumulated interest"), with 450 Rhenish florins. This corresponds to an exchange rate of 1.42 and interest charges of 24 Rhenish florins, or 5.5% (16.5% p.a.). Dr. Nikolaus von Hermsdorff's letter to Duke George, Rome, July 8, 1517, Gess, "Ablaß," 560. There is actually a second entry for Hermsdorff among Albertine invoices in the amount of 446 fl. See Schirmer, *Kursächsische Staatsfinanzen*, 276.

147 See Volkmar, *Heiligenerhebung Bennos*, 86–89.

148 See ibid., 89 with n. 336. Hermsdorff's remuneration and the quote: the Annaberg mayor and city council's letter to Duke George, Annaberg, October 9, 1516, Gess, "Ablaß," 542.

149 See Duke George's letter to the Annaberg city council, Dresden, July 22, 1519, ABKG, Vol. 1, 95. About the content, see Duke George's letter to Karl von Miltitz, Dresden, October 14, 1517, ibid., 27 f.

payment of one-third of the indulgence money to the Fabbrica of Saint Peter's).[150] Duke George was personally involved to a high degree in promoting the canonization of the Meissen saint in Rome and the construction of the church in Annaberg, but this did not mean that he also paid the costs of the Roman favors.

The case of the coadjutorship in Magdeburg was completely different.[151] It was the High Master Friedrich the Elder of Saxony who sought the archbishopric, but Duke George was not only the originator and organizer of this undertaking—he apparently also paid the taxes that were demanded by Rome, which consisted of the fees for the dispensation that allowed one man to be both High Master and bishop, and of the annates that were due for the archbishopric.[152] This is attested by the accounts of Bünau and Schönberg, who noted on the credit side of their ledgers only the money that came directly from George, or that was paid out by the Roman Fugger agent on his credit.[153] Duke George also settled a bond of 4,000 ducats for which the procurators had personally given sureties to the Roman banker Salvio de Pulgerini in August 1506.[154]

Unlike the cases of Benno or Annaberg, the records here contain no indication that George's expenditures were repaid by his brother, who was notoriously short of money, or even by the old Archbishop Ernst. On the contrary, from 1515 to 1517 George was still endeavoring, at a time when the archbishopric had come into the hands of the Hohenzollerns after Friedrich's early death, to get the curia to pay back the annates "that we have paid […] for our dear brother."[155]

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150 See p. 149–157.

151 See p. 192–197.

152 See the procurator's report to Duke George, n.d. [late 1504–1505], loc. 8949/2, fol. 57–59; Bünau's invoice, 1507 (like n. 140), here fol. 89r.

153 See ibid., fol. 78.

154 About the guarantors who "at their risk, are obligated and responsible to the papal chamber," which included Bünau zu Elsterberg and Schönberg as well as other clergymen in George's service: Günther von Bünau zu Schkölen, Donat Groß and Ernst von Schleinitz, as well as the procurator general of the Teutonic Order, Georg von Eltz. See ibid.—About the transfer to Duke George, see Günther von Bünau's [zu Elsterberg] letter to Duke George, Wolkenstein, December 5, 1506, loc. 8949/2, fol. 67 f.; Duke George's draft of a response, n.d., ibid., fol. 70.

155 Duke George's letter to Nikolaus von Hermsdorff, Leipzig, December 5, 1516, ABKG, Vol. 1, 20, n. 3. See also the additional correspondence from 1515–1517 ibid., 20, n. 3, 20–22, 27 f., as well as "instructions about annates," written for Duke George by Georg Pusch during his stay in Germany in the summer of 1517. Cover letter to Dr. Georg Pusch's evaluation report to Duke George, Bautzen, September 17 [1517], loc. 8994/9, fol. 26.

In view of his financial praxis on other occasions, George's willingness to cover the Roman costs of his brother's coadjutorship out of his own means must be seen as evidence of the high importance he attached to keeping the see of Magdeburg under Wettin control. This episode also invites us to draw parallels of historical world significance: If Margrave Joachim I (who of course was not so wealthy) had given his brother the same support that George gave to his brother Friedrich, Cardinal Albrecht would not have had to finance his taxes and dispensations for Mainz by means of the indulgence for Saint Peter's that prompted a young professor in Wittenberg to compose ninety-five theses.

3 The Goals of Saxon Politics in Rome

The following summary of the matters that Duke George took up with the curia cannot claim to be exhaustive; the state of the surviving information makes this impossible. Nevertheless, if we look at all the known missions to the curia, we get an instructive overview of the many concerns of Duke George's church politics vis-à-vis the papacy. It is difficult to impose a structure on the disparate material because older scholarly research into the curial politics of the German princes can provide little orientation. Justus Hashagen has proposed a structure following the triad of politics with regard to benefices, financial politics, and "political and personal motivations"; John A. F. Thomson makes a very similar articulation in "Benefices and Provisions," and "Taxation," and "Jurisdiction."[156] Although both models grasp important lines of conflict in the political relations between princes and popes, this is only one segment of the curial contacts as a whole. A structure following the index of matters of the papal registers seems even less suitable, since they distinguish only between benefices, expectations, and other matters (for the letters of favor) and judicial briefs.[157]

Accordingly, we take a very pragmatic approach here, distinguishing first between (a) permanent or long-lasting privileges and (b) matters of current

156 See Hashagen, *Staat und Kirche*, VII f.; Thomson, V.

157 See Frenz, 68, but there, not in relation to princely curial politics. The itemization of the letter of gratitude (mandate) was "1. Prebend provisions (*de vacantibus*), 2. expectations (*de vacaturis*), 3. Other documents (*de diversis formis*)," additionally "4. Rescripts (*litterae minoris iusticiae*)" further "5. Administrative documents for the Papal States, 6. Political correspondence by the Pope." This order is also followed by Götz-Rüdiger Tewes. See Tewes, *Kurie und Länder*, 29.

politics. Both groups can be differentiated further. There are two areas of permanent privileges and favors:

1. church-political privileges for the prince; and
2. privileges for the churches and inhabitants of the territory.

The matters of current politics can be differentiated further:

3. the Council;
4. admission of Roman indulgence campaigns to the territory;
5. appointments to bishoprics and abbeys;
6. legal proceedings; and
7. dispensations in personal affairs of the prince or of his counselors.

From the perspective of church governance, the church-political privileges for the prince constituted the most important part of his curial politics, since it was only with the aid of the pope that the secular prince could exercise and expand his rule over the church in his territory that was legitimated in canon law. This is where we find the lines of conflict that Hashagen and Thomson adduce. Duke George's endeavors aimed at the confirmation of existing rights. He obtained a confirmation of the *privilegium de non evocandis subditis* that forbade the summoning of his subjects before ecclesiastical judges outside his territory.[158] His primary interest, however, was in rights of patronage or presentation to many superior benefices, in the cathedral chapter in Meissen, in some smaller collegiate churches, and at the University of Leipzig. He was likewise interested in expanding his rights, for example by excluding reservations to the pope.[159]

George's endeavors to get new church-political privileges give the impression of a clear delight in innovation. The catalogue of demands that George presented to cardinal legate Peraudi on his visit to Meissen in January 1503 (we call it the Peraudi program), displays a whole panorama of truly revolutionary proposals.[160] The prince wanted the pope to reduce the authority of the bishops and to equip him with comprehensive reforming powers over the entire diocesan and religious clergy and the system of ecclesiastical courts. The clergy were also to be obliged to pay the taxes that were determined by the territory,

158 See Bünau's report, 1505–1506 (like n. 40). About the genesis of this privilege, see p. 74–76.

159 See Bünau's report, 1505–1506 (like n. 40); Duke George's demands on Cardinal Raimund Peraudi [1503], Gess, "Klosterreformen," 46 f.

160 See ibid.

and the possibilities for the curia to exercise influence were to be reduced by declaring that patronage took precedence over papal provisions. It is obvious that the complete failure of this first great proposal made George more cautious.[161] It was only under the impact of the Reformation that he resolved once again in 1523 to make fundamental demands on the pope, asking that he be allowed to depose all secular priests who infringed the norms in the exercise of their office and lifestyle, or who joined the Protestant movement.[162] This proposal was also unsuccessful. It merely strengthened George's disappointment with the curia. As a result, he tended more and more, especially during the last years of his life, to implement his church-political ideas on his own authority.[163]

Privileges for the churches and the inhabitants of the territory make up the quantitatively most important sector of Saxon curial politics. George's two most elaborate missions to the curia, the canonization of Benno of Meissen and the privileges for St. Annaberg, belong in this context. These politics had two principal goals: the promotion of lay piety and the financing of the construction of churches.[164] The building of churches and monasteries to the greater glory of God was traditionally regarded as the noblest task of a Christian ruler, but there were new aspects to George's execution of this obligation. His involvement did not consist primarily of a material contribution, and his pious foundations remained comparatively modest. He understood his task as the activation and coordination of resources and endeavors. Papal indulgences and indults were useful instruments to kindle the people's readiness to donate. Not only the favors for Annaberg, but also the controversial "Butter Letter" of Freiberg (1491) and the indulgences that he requested in 1523, based on Annaberg, for the construction of a church in Altenberg,[165] belong in this context. The special economic conditions in the mountain towns were also taken into consideration with regard to the norms of canon law. Some indults permitted work

161 In the following years, specifically 1504–1505, there were attempts to exert influence over ecclesiastical jurisdiction in Annaberg through papal privileges. See Bünau's report, 1505–1506 (like n. 40).

162 See Duke George's letter to Bishop Johann VII of Meissen in Rome, Dresden, January 4, 1523, ABKG, Vol. 1, 421–425.

163 It is known that there was a final failed attempt to obtain papal privileges in 1536. Following the Meissen example, Duke George made efforts through Nikolaus von Schönberg to secure presentation rights for the Merseburg cathedral chapter. See Gess, *Klostervisitationen*, 8, 47 f.

164 See ch. 12, section 1.

165 See ch. 12, section 3.

in the mines on feast days,[166] trade with the Hussite Bohemians,[167] and—if we are to believe contemporary argumentation—dispensation from fasting.[168] George requested this last dispensation for the whole of his territory in 1523. This measure was intended to take the wind out of the sails of the Protestant movement.[169] Obtaining papal confirmation of new foundations, incorporations, and the sale of the property of ecclesiastical institutions also belong to the context of curial contacts, as well as the unusual Roman confirmation in 1514 of the imperial privileges that allowed trade fairs to be held in Leipzig; all of these were initiatives by George.[170]

The most important matters of current politics were questions of Council and the admission of Roman indulgence campaigns; we discuss these in greater detail elsewhere.[171] Another area, appointments to dioceses and abbeys, was a central concern of princely church politics throughout the entire Middle Ages. In the case of dignities within the sphere of the prince's own influence, this served to exercise his control in the framework of the territorial church governance. In the case of dignities outside his territory, the primary interest was to provide for later born sons and to expand the power of his dynasty. According to the Concordat of Vienna (1448), cathedral chapters and religious communities had the right to elect a candidate who was then required to seek confirmation by the consistory in Rome.[172] These confirmations concerned the prince's curial politics because he sometimes decided to support a candidate. Duke George's first known contact with the curia involves such a case. In

166 Approved for Annaberg. See Schulte, Vol. 1, 76.

167 Approved in 1517 for all of George's subjects within the context of Annaberg privileges. See ibid. By 1505, George's corresponding petition had been signed by the pope but not drawn up. See Bünau's report, 1505–1506 (like n. 40).

168 In mining towns, the necessity of a dispensation from fasting was thematically justified by the difficult access to fish. Duke George also refers to this in the case of Altenberg "since few fish are available." Duke George's letter to Johann VII, 1523 (like n. 162).

169 See ibid. See also ch. 21.

170 See Pope Leos X's bull, Rome, December 8, 1514, Müller, *Privilegien*, 34–37.—Further papal confirmations were obtained by Duke George in the following instances: 1501, for the construction of a Franciscan monastery in Annaberg (see ABKG, Vol. 1, XXX f.); 1515, for the incorporation of the pilgrimage chapel at Queckborn into the Dresden parish (see ibid., 536, n. 3); 1517, for the fraternity and altars in the Annaberg parish church (see above, n. 111); and 1523, for the sale of ecclesiastical property through Dresden's parish church bridge office to its own provost, Georg Alnpeck (see George's letter to Johann VII, 1523 [like n. 162]).—At the request of Albrecht and George, the pope transferred Leipzig's Franciscan monastery to the Observants. See ch. 10, section 3.

171 See the following section and ch. 12, section 3.

172 This applied to all benefices with a value over 200 fl. See Frenz, 72 f.

November 1494, he wrote to the pope and to Cardinal Todeschini-Piccolomini, the cardinal protector of the German Nation, requesting confirmation of the elected abbot of Pegau.[173]

Another form of diocesan politics in which the prince was dependent on the pope was the appointment of coadjutors with the right of succession. The special attractiveness of this legal institution was that succession to a friendly bishop could be regulated during his lifetime and be in keeping with the prince's wishes. This resolved, at least temporarily, the lack of continuity in ecclesiastical governance. George displayed particular interest in securing the archbishopric of Magdeburg for the Wettin dynasty. He agreed with his Ernestine cousin, Archbishop Ernst, that his younger brother Friedrich, High Master of the Teutonic Order, should succeed. Wettin procurators worked at the curia from 1505 to 1506, supported by Cardinal Peraudi, and obtained the pope's confirmation as well as a dispensation permitting the combining of the two offices.[174]

The prince's influence on the dioceses of Meissen and Merseburg in the Albertine territory found acceptance and explicit support at the curia. In 1513, Pope Leo X assured Duke George that he would not appoint a coadjutor who might be proposed by Bishop Johann VI of Meissen, who was on bad terms with the prince. Since George controlled the cathedral chapter, there was no doubt that the succession would be in accordance with his views. After the election in 1518, his candidate was confirmed by the consistory. In 1529, Pope Clement VII also accepted Duke George's proposal to appoint Julius Pflug as coadjutor of Merseburg. The curia was much more accommodating here than the chapter of Merseburg, which ultimately ensured that the plan came to nothing.[175]

Another field of activity of the prince's curial politics was court proceedings at the curia. The Rota, the highest ecclesiastical court, also tried cases from Saxony. It was not, of course, the prince himself who sought justice here, but clerics with good connections to the curia who instituted proceedings about benefices. From the perspective of the territorial church governance, Rome had to be discouraged from taking hold of the market for benefices in Saxony, which is why these trials are included in the list that Duke George contributed

173 See n. 41.

174 About this procuration, see loc. 8949/2, fol. 24–95.

175 See p. 215–218.

to the 1521 Gravamina of the German Nation.[176] He attempted in advance to prevent trials before the Rota by putting pressure on potential litigators.[177]

When, however, a trial took place and his rights of patronage were affected, Duke George supported his candidates, such as Dr. Johannes Hennig, the cathedral dean in Meissen, in 1506.[178] In a close parallel to his politics vis-à-vis ecclesiastical judges in Saxony, his primary goals were to prevent interdicts that threatened pastoral care in the territory, and to have such interdicts rescinded.[179] Duke George regarded the activity of the Rota with suspicion even when a positive outcome was expected. In 1495, he demanded that the pope and cardinals decide the dispute regarding the "Butter Letter" of Freiberg by means of a papal brief so that "the matter in the Rota may come to an end without further activity by lawyers."[180] On the other hand, Duke George occasionally made use of a device that allowed him to instrumentalize the papal legal system for his own ends. This was made possible by the *litterae minoris iusticiae*, through which the pope sent a legal dispute that had been brought before him to be investigated and decided by ecclesiastical judges *in partibus*.[181] By deliberately seeking a rescript of delegation, the prince was able to select an investigating authority that was amenable to him, such as one of the Saxon bishops, and influence ecclesiastical trials to go in the direction he wanted.[182]

The numerous contacts with the curia that concerned dispensations in personal affairs of the prince and his counselors were separate from church poli-

176 See p. 185–189.

177 See p. 283–291.

178 See p. 228.

179 One example is the interdict against the Chemnitz monastery and the incorporated St Jacob parish, which was obtained by Dr. Wolfgang Steinberger after he had successfully claimed the parish prebend at the Rota. The interdict was issued in spite of the Chemnitz Abbot's willingness to comply with the judgment of the Rota. See Duke George's letter to Dr. Johannes von Kitzscher and Dr. Bernhard Sculteti, Dresden, August 29, 1509, cop. 112, fol. 296; See also ibid., cop. 110, fol. 82r, 115r, 166r; CDS, II, Vol. 6, 409.

180 Duke George's letters to Pope Alexander VI and Cardinals Francesco Todeschini-Piccolomini, Raimund Peraudi and Johannes Antonii de S. Georgio, January 28, 1495, cop. 105, fol. 80v.

181 See Frenz, 78 f.

182 So it was in the case of the suit against the Hussite priest Dr. Johannes Pfennig (see also p. 467 f.). See Pope Alexander VI's breve to Duke George, Rome, August 10, 1501, O. U., no. 9425.—In the dispute over the patronage rights to the parish of Tennstedt in Thuringia, Dr. Valentin von Tetleben obtained a breve in 1516, which appointed the Bishop of Merseburg and the dean of St Severin's cathedral chapter at Erfurt as judges. See Dr. Nikolaus von Hermsdorff's letter to Duke George, Rome, August 21, 1516, loc. 9827/22, fol. 84.

tics. The best example is the papal dispensation from the law about close family relationship that was needed for the marriage of Duke George and Princess Barbara.[183] One of George's procurators also obtained a similar dispensation in 1505/06 for the marriage of the Steward of the Household, Heinrich von Schönberg the Younger to Barbara von Schönfeld.[184]

4 The Fifth Lateran Council

Duke George was strongly interested in all attempts to promote the reform of the church by means of a general Council. The reform Councils of Constance and Basel had given impressive proof of the ability of church assemblies to promote reforms affecting the entire church. Duke George accorded a central role in the renewal of Latin Christendom to the Councils that were legitimated by the pope. This position determined the view he took of the Fifth Lateran Council (1512–1517). He endeavored, more strongly than any other prince in the Empire, to make this Council a success.

When the Council assembled in May 1512, Pope Julius II presented its most important task as the reform of the church "in head and members." As a papal counter-event to the "Conciliabulum" of Pisa that had been convoked in the previous year on the initiative of the French king, the Lateran Council was initially overshadowed by the struggles for supremacy in Italy. Military defeats of the French from 1512 to 1513, followed by the self-dissolution of the Pisan synod and the great hopes kindled by the beginning of the pontificate of the young Pope Leo X (1513–1521), gave the reform discussion in Rome a genuine chance. Even a French delegation took part in the negotiations of the Council from the autumn of 1513, which now enjoyed universal recognition.[185]

The Roman preparations for the Council were not only attentively followed in Saxony, but also directly supported. The bull of convocation by Pope Julius II was published in two pamphlets in Leipzig in 1511/12. In addition to the original Latin version that has been identified in VD 16, there is also a German

183 See n. 9.

184 See the procurator's report to Duke George, n.d. [1505–1506], loc. 8949/2, fol. 57–59, where the name of the wife was given as "Barbara de Schonfelt."—The historiographer of the Schőnberg family, Albert Fraustadt, mentions a spouse from the house of Schönfeld, but does not know her first name, while at the same time (falsely?) assigning the first name of Barbara to a second wife. See Fraustadt, *Schönberg*, 257–259.—About Schönberg's role in the Albertine administration, see Schirmer, "Herrschaftspraxis," 372.

185 See Jedin, *Trient*, Vol. 1, 93–110; Minnich, "Concepts"; id., *Council*; Venard.

translation in the holdings of the University Library in Leipzig, which presented the project of the Council and of reform to interested groups of laity. Although there is no evidence that this publication was commissioned by the prince, it precisely fits the pattern of his public policy agenda.[186]

George's involvement can certainly be seen in the spring of 1513, when he appointed two high-ranking Dominicans as his representatives at the Council. On February 9, George wrote to the pope that although he had not received an invitation, he, like other princes, wanted to participate in the Council that the pope had convoked to promote the Christian faith and to reform the Roman church. Accordingly, he nominated the Master General of the Dominicans, Thomas de Vio Cajetan, as his procurator and empowered him to act in his name "*pro communis ecclesie pace unitate ac reformatione*".[187] On March 29, he appointed his childhood friend Nikolaus von Schönberg as his second representative. After Cajetan was elected General of the order in 1508, Schönberg took over his office as general procurator of the Dominicans at the curia.[188]

This makes George the first prince in the Empire known to have participated in the Lateran Council. He remained an exception in the following years too, since apart from the Emperor, the lists of participants in the Council

186 See *Bulla intimationis generalis Concilii apud Lateranum per Julium Papam II. edita, Lipsiae: apud Jacobum Mazochium* 1511, 4° (VD 16 K 241); "Bulla der aufsatzunge und verkundunge eines gemeynen Concilii: so tzu Rhom in sant Johan Lateran kirchen sall gehalten werden: durch unsern heyligisten vater Julium Babst den andern gemacht und ausgangen: von latino in deutzsch verwandelt," Leipzig: Martinus Herbipolensis 1512, 4° (copy used: UB Leipzig, Kirchg. 966/11). About Duke George's media politics, see ch. 13.

187 "*Se ipsum commendat humiliter etc. fide digno omnium sermone accepi, S*[*anctitati*] *v*[*estra*] *pro amplificanda fide Christiana proque venerabilis ecclesie Romane unitate paceque reformanda Concilium Lateranense Rome indixisse, ad quod exteros etiam principes convenire aut oratores suos mittere certo mihi significatum est. Et quamvis hac de re nihil quicquam legittime aut literis aut nunciis mihi insinuatum sit,* [...] *ego quoque ut secordie negligentieque notam declinarem, reverendo patri* [...] *Thome Devio Cajetano* [...] *devoto nostro dilecto procuratoris munere in dicto concilio nomine meo fungendi*". Duke George's letter to Pope Julius II, Dresden, February 9, 1513, cop. 125, fol. 356v, edited: Kolde, 603.

188 See Duke George's letter of credence for Nikolaus von Schönberg, OP, Dresden, March 29, 1513, cop. 125, fol. 357r–358v, edited: Kolde, 604–606. See also ibid., 601–603; Cardauns, 105, n. 3. About the contact between Duke George and the procurators, see the letters in: ABKG, Vol. 1, IL, n. 3; Kolde, 606–609.—The date chosen for naming the two procurators in early1513 was possibly determined by the request from Abbot Georg (III) of Pegau (1506–1514) because of Duke George's representation at the council, which the duke answered negatively. See Duke George's letter to Abbot Georg of Pegau, Dresden, January 26, 1513, ABKG, Vol. 1, IL, n. 2; about the person, see Vogtherr/Ludwig, 20 f.

mention only one other secular prince from the Empire, Elector Joachim I of Brandenburg, who was represented in Rome by three *oratores* from December 1513 onwards. The only high-ranking ecclesiastical prince in the Empire to appoint representatives to the Council was Albrecht of Brandenburg, although only after his election as archbishop of Mainz in 1514.[189] The scanty participation of the Empire in the Lateran Council was not due to a politically motivated boycott, but to a lack of trust in Rome's ability to enact reform. All the more, then, can Duke George's involvement be understood as evidence of his great interest in the cause of church reform, especially since he himself (unlike the two Electors) was not officially invited to the Council.[190] Pope Leo X emphasized George's commitment and praised him in a brief; he also indicated that he was content with the choice of Cardinal Cajetan, who was loyal to the pope, as procurator.[191] In the same year, the new pope made two important decisions in favor of George.[192] This may indicate that George's commitment to the Council genuinely raised his prestige in the eyes of the pope.

It was not only in the appointment of personal representatives that George showed his interest in the success of the Lateran Council. Only eleven dioceses in the Empire were represented at the Council, and it is striking that two of these were Meissen and Merseburg, the two dioceses in the Albertine territory.[193] We must assume that this was due to George's influence, for in

189 About Joachim I's orators, see Kolde, 601; Minnich, "Participants," 181–206 (nos. 8, 41, 213). Archbishop Albrecht named the dean of the College of Cardinals and the moderator of the council, Cardinal Rafael Riarius, procurator for his diocese and also the dioceses of Mainz, Magdeburg and Halberstadt. See ibid. (no. 320).

190 See Venard, 333–336.—Despite welcoming Duke George's efforts in his breve, the pope apparently withheld his official invitation in the following years. Therefore, the duke's wish to send orators with speaking rights as official ambassadors instead of simple procurators was not fulfilled. This was because only invited princes could send orators. This might also explain why the names of Duke George and his procurator Nikolaus von Schönberg are missing from the less dependable official lists of council participants. See Minnich, "Participants," 181–206. About the duke's wish, see the passage "donec oratores meos illuc miserimus" in the appointment letter for Cajetan. George to Julius II, 1513 (like n. 187).

191 See Pope Leo X's breve to Duke George, Rome, March 31, 1513, A. S. V., n. XLIV, Vol. 5, fol. 55v–56r, older edition: Sadoletus, *Epistolae*, 3–5.

192 The pope re-opened the canonization process for Benno and supported George's candidate for succession in the see of Meissen. See Volkmar, *Heiligenerhebung Bennos*, 76, and see ch. 8, section 2.

193 Jakob Gertewitz was procurator for the bishopric of Meissen but also for the duke. See Minnich, "Participants," 181–206 (no. 171); about the person, see Volkmar,

view of the political dependence of the Saxon bishops on their Albertine lord, which had recently been confirmed anew in 1511 by the Arbitration of Leipzig, it seems extremely improbable that they would have taken action without his consent. One indicator of the close link may be the fact that Abbot Georg (III) of Pergau, who was to act as the procurator of the bishop of Merseburg, offered to appear before the Council as the representative of Duke George too—an offer that the prince rejected.[194] A comparison with Elector Joachim and the diocese of Havelberg, which was likewise represented at the Council, shows that the commitment of the prince to the Council could run parallel to the participation of the dioceses that lay in his sphere of influence.[195] Ultimately, Central Germany, otherwise so distant from Rome, was represented by three princes (George, Albrecht and Joachim) and six dioceses at the Fifth Lateran Council. Thus, the area where the Reformation was born was the only region of the Empire to show a real interest in the call for Reform by the papacy. Duke George had taken the initiative; the Ernestines did nothing at all.

The reports of the negotiations that the Saxon representatives sent home must, of course, have been bitter disappointments. The reform of the church was indeed the dominant theme of the conciliar speeches, delivered in polished humanistic rhetoric, and a reform deputation set up by Leo X did investigate the abuses in the church's administrative bodies. But the Council's decisions fell far short of the brilliance of the reform rhetoric, and where they did announce concrete measures—such as against the excessive system of church taxes, or against pluralist holding of benefices—they contained so many loopholes that they remained ineffective in practice. Most of those who supported incisive change came from outside of Italy, such as the Spanish crown and its bishops, but they made no headway against the inertia of the Renaissance papacy and its administrative apparatus in the curia. After five years of negotiations, all that remained was a universal and noncommittal consensus about the necessity of church reform and some ambitious programs of reform that, characteristically, were formulated outside the halls of the Lateran palace.[196]

"Kurienprokuratoren." Abbot Georg (III) of Pegau was procurator for the bishopric of Merseburg. See Minnich, "Participants," 181–206 (no. 133).

194 About the abbot's intentions to visit the council and his attempt to represent Duke George as well as the bishop of Merseburg, see ABKG, Vol. 1, IL, n. 2.

195 See Minnich, "Participants," 181–206 (no. 429).

196 See Jedin, *Trient*, Vol. 1, 102–110; Minnich, "Concepts," 163–236, there, also details about the reform program of the Venetian camaldolesers Tommaso Giustiniani and Vincenzo Querini and the Spanish delegation. About Querini and his contacts with the council, see now Bowd.

But Duke George had not given up hope for a comprehensive church reform through a Council. The following year, he attempted to get the Imperial Diet in Augsburg to start negotiations with the papal legate about a Council. To the end of his days, he remained convinced that only a Council could bring about the reform and unity of Christendom.[197]

5 The End of an Alliance: George of Saxony and the Papacy

Close contacts with the curia were a typical element of the church politics of secular princes in the fifteenth century. They were based on the alliance of convenience that the popes had sought to establish with the German princes in view of the threat posed by conciliarism. When Rome supported the construction of territorial church governance by bestowing privileges, it both ensured the loyalty of the princes and weakened the authority of the bishops, who in turn were the principal supporters of the conciliar movement. This coordination of interests had proved a viable basis everywhere in Europe for cooperation between the papacy and secular rulers. For the German princes, support from Rome was decisively important, because it was only with the aid of papal privileges that they could build up a permanent rule over the church in their territory. This orientation to the curia as partner and as an authority that supplied legitimation has been called "curialism" by Hashagen. It was constitutive of pre-Reformation church governance, which differed fundamentally on this point from post-Reformation development.[198]

In the decades prior to the Reformation, however, the situation had changed perceptibly. Conciliarism had disappeared as a political force, with the result that the popes had lost interest in German princes. Other factors were the concentration of the papacy on its role as an Italian power and the Italianization of the curia, while the alienation on the German side grew. The only remaining motivation for papal obligingness was the chronic need of the Renaissance papacy for money.[199]

Under these conditions, the activity of Duke George of Saxony in curial politics is impressive, since he was the lord of a territory that must be regarded, by the yardstick of the Lateran registers, as remote from the curia as it lay (from the curial perspective) on the periphery of the political interests of the

197 See ch. 7, section 2, and ch. 24.

198 See Hashagen, *Staat und Kirche*, 299–303; for the Bavarian example, Rankl, 43–82, here 81 f.

199 See Thomson, 203–208.

papacy.[200] George, of course, was not interested in political collaboration, but in getting privileges for his church governance and for the church of his land, extensive indulgences, and a canonization. From the outset, he also had a keen interest in church reform, for which he sought to reactivate the time-proven partnership of earlier decades. Papal privileges were meant to strengthen the influence of the prince and to make it possible for him to carry out church reform *in partibus*, inevitably at the cost of the competence of the bishops.

Since there are no comparable studies, it is difficult to form a judgment on Duke George's curial politics and to locate this in the context of the church politics of German princes, but the recent description of his curial politics as isolated and impotent endeavors certainly fails to do justice to the evidence,[201] since the Saxon curial politics of those years was characterized by a continuity that goes as far as regularity, and by a certain measure of professionalization. In order to realize this politics, George maintained an almost unbroken sequence of procurators in Rome, and genuine teams worked together on important projects, made up in equal parts of envoys whom the prince trusted, and experienced members of the curia. Financial transfers and postal communication were expedited via the Fuggers. Without efficient lobbying, the success of laborious projects that in principle could go either way, such as a canonization process, would have been unthinkable.[202] In particular, the continuous use of curial procurators seems to have been typical of the methods employed by the most active secular lords of the Empire in their curial politics.

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200 Out of the German entries in Leo X's Lateran registries, only 4% apply to the church province of Magdeburg, including the exempt dioceses of Meissen and Cammin. See Tewes, *Kurie und Länder*, 81 f., 384.

201 According to Götz-Rüdiger Tewes, whose analysis of the curial contacts in pre-Reformation Central Germany culminates with the assessment, "Hardly anyone in this region participated in the legal possibilities offered by the curia. Even George of Saxony had to admit to his helplessness when he tried." (Tewes, *Kurie und Länder*, 357). Contrary to Tewes's appraisal suggesting George's failure, which is based on a frustrated commentary during a difficult phase of the Benno process (see ibid., 237), the Saxon duke was ultimately very successful. Unlike the majority of late medieval attempts at canonization, this one actually ended with sainthood. See Volkmar, *Heiligenerhebung Bennos*, 69–100. While other European powers undoubtedly had more direct ways and means of securing the pope's favors, the case of Benno nonetheless shows that a German prince from the European periphery could achieve his goals at the curia.—Furthermore, Tewes' thesis (see ibid.) that the duke actively distanced himself from the curia in an attempt to strengthen his position against the local church, does not agree with my view that curialism was an integral part of territorial church governance. However, this is not meant to diminish the results of Tewes's groundbreaking study. See also Volkmar, "Rezension Tewes."

202 See previous note.

This can be observed in the comportment of Duke Albrecht V of Austria just as much as in the dukes of Bavaria.[203]

There are other indicators that we should judge Duke George's contacts with Rome as intensive, at least by German standards. His involvement in the Fifth Lateran Council is significant: it distinguished him from his counterparts in other territories and gave proof of his serious interest in a church reform that would also take effect *in capite*. It is not only on this point that George's curial politics is clearly distinct from that of his Ernestine cousin; Friedrich the Wise took no major part either in the Council or in the Gravamina of the German Nation.[204] Here too, George was one of the most committed princes, and the material he submitted played a central role in the formulation of the common text of complaint.[205] It is clear that Duke George's good contacts with Rome were not unknown to his contemporaries. Even Duke Georg of Bavaria-Landshut entrusted his curial business to George of Saxony and his procurators in 1503, and in view of the traditionally good curial contacts of the Wittelsbachs, this must mean something.[206]

Naturally, this should not allow us to forget that Duke George owed the successes of his curial politics much more to his own persistence and to the financial power of Saxony than to influential connections or special papal goodwill. Above all, papal obligingness had clear limits. Whenever George attempted to acquire permanent rights for his church governance, the result was total failure. The pope expunged the church-political passages from the Annaberg petitions; the privilege of visitation of monasteries, which had been requested from Peraudi, was granted not to George, but to the Saxon bishops; and no answer was made to the proposal of 1523, although this was meant as an emergency measure against the Protestant movement, which was getting out of control. The curia consistently distinguished between once-off favors, which it was inclined to grant, and the permanent bestowal of the power of sanction on the prince, which it refused "with reference to the great disadvantage to the church's freedom that might result therefrom."[207] Here, the motif of the

203 See Koller, 133–177; Rankl, 43–82. The Bavarian dukes heavily relied on their close contacts with the curia for promoting their candidates in local canonries, because they could only compete against the substantially independent bishops with the help of papal provisions. See ibid., 239–244.

204 See Ludolphy, *Friedrich*, 373–375.

205 See p. 185–189.

206 See Duke George's letter to Dr. Dietrich von Witzleben, [Dresden] November 15, 1503, cop. 109, fol. 67v.

207 Hermsdorff's report, August 1516 (like n. 110).

libertas ecclesiae from the high Middle Ages was dusted off. Accordingly, Pope Leo X utterly rejected Duke George's request that he himself be allowed to appoint the commissioner for the Annaberg jubilee indulgence, whereas he was willing to accept George's suggestion about a specific person.[208] Here, George encountered barriers that had been set up anew, barriers that Elector Achilles of Brandenburg, a man who was extremely active in church politics in the generation preceding George, had not been able to overcome; while the popes continued to tolerate the construction of a territorial church governance at the cost of the bishops, they were no longer willing to grant confirmation in principle, by means of privileges, to interventions that were tolerated in practice.[209]

When we look at the situation in western Europe, we see that the popes did not always act in such a principled manner.[210] This means that a reference to the norms of canon law does not provide an adequate answer to the question of why the popes refused to support the territorial reform politics of Duke George. The arguments here must differentiate between pre-Reformation and the Reformation.

During pre-Reformation, the German princes had become uninteresting for the popes as political partners. Unlike in the times of the Schism and conciliarism, the curia no longer saw any particular reason to cultivate through special favors the political alliance that had existed in the past,[211] especially when—as in the case of the Albertines—these were only imperial princes of the second rank. Besides this, Rome had no specific interest in the situation in Saxony. The danger from the Hussites, which Duke George never tired of pointing out, had long lost its ability to frighten Rome. On the other hand, Duke George proved to be an uncomfortable partner when it was a question of accommodating the wishes of the curia. Wherever possible, he prevented Roman indulgence campaigns from entering his territory, and he blocked the few attempts by members of the curia to obtain benefices in Saxony, thereby increasing the distance between the curia and his territory. The relationship of mutual distance noted by Erich Meuthen thus applies to the Saxon-Roman

208 The duke's chancellor Kochel retroactively added George's demand to Johannes Tetzel's draft of the petition. See Gess, "Ablaß," 544 f. (Tetzel's text) with 545, n. 1 (Kochel's addition). If not approved, then "decanus ecclesie Misnensis pro tempore existens" (ibid.) should be inserted. Exactly this wording was finally used in the bull "Salvatoris nostri". See Pope Leo X's bull, Rome, May 24, 1517, Schulte, Vol. 2, 170–177, here 175.

209 See Priebatsch, Vol. 20, 262 f.

210 See Tewes, *Kurie und Länder*; Hashagen, *Staat und Kirche*.

211 See also ch. 3.

relationships too. Duke George's relatively intensive attempts at contact were successful only on the level of routine business on the principle of favors in return for money. There was scarcely any deeper diplomatic or church-political communication. The contact had broken down permanently.

The challenge posed by the Reformation would have been a propitious occasion to change the situation, for was not the fight against the heresiarch from Wittenberg a shared church-political goal of the first order? The example of Bavaria shows that such cooperation was possible; indeed, the "German" Pope Hadrian VI, who was somewhat better informed about the situation in the Empire, went so far as to ask the Bavarian dukes directly at the beginning of 1523 to submit their requests for privileges with which the curia could support their struggle against the Reformation. In the ensuing negotiations, Johannes Eck, who was respected in Rome, obtained a competing legal jurisdiction for the Wittelsbachs over the clergy and the right to exact taxes from them—central building blocks of the Bavarian church governance in the Early Modern period.[212] But Bavaria remained an isolated case. Duke George's hopes for support from the curia were bitterly disappointed. In the same year in which Johannes Eck obtained the privileges for Bavaria, George's requests, which had the same goal but were formulated in an incomparably more radical manner, went unanswered. The canonization of Benno of Meissen was poor consolation. No response was given to the requests of Hieronymus Emser for financial support for his pamphlet war against Luther, which could have been met with a simple provision to a benefice. And George's admonitory calls for a Council went unheeded.[213]

As far as George was concerned, this development must be considered tragic. There were several factors involved, but they can be summed up as a syndrome of dysfunctional communication. The curia were poorly informed about the significance of what was happening in the Empire; they had no understanding of the German situation, which was undergoing radical change, nor of German sensitivities. They were convinced that the affair of Luther could be resolved on the level of the Empire by means of a canonical trial

212 The papal privileges of June 12, 1523 saw the establishment of a commission consisting of Saxon abbots and ecclesiastical judges, who were to exert jurisdiction over heretical or criminal priests in competition with the bishops. The limiting passage, that this should only occur after proven negligence by episcopal judges, was lifted by Pope Clement VII in 1526. In addition, the duke was allowed to tax clerics within his territory at 20% of their yearly income in order to finance the fight against the Evangelical movement and the Turks. See Rankl, 78–81; Pfeilschifter, Vol. 1, 102, 159 f.; Kohnle, *Reichstag*, 141 f.

213 See ch. 23 and 24.

and the outlawing of Martin Luther, and so they ignored the appeals for help that came from princes, prelates, and theologians who remained loyal to the pope. Saxony was even further from their minds than Bavaria. Duke George's demands were unsuccessful. He indeed had contacts with the curia, but he had no influence there, and it is clear that the two periods spent by Bishop Johann VII in Rome in 1523 and 1524 did nothing to alter this fact.[214] Above all, George's orientation to reform, which led him to take a critical attitude vis-à-vis the curia, did nothing to advance his cause. The leading role he played in the Gravamina of Worms irritated both the nuncio and the pope.[215] Even his influential childhood friend, Nikolaus von Schönberg, who acted during these years as the top papal diplomat at the royal courts of Europe, had little understanding of George's energetic reform demands.[216] Finally, George's wishes for privileges in the fight against the Reformation went much further than the Bavarian requests: while Eck preserved the principle of the ecclesiastical court system by giving territorial jurisdiction over heretical and criminal clergy to a commission of prelates, George demanded direct authority to sanction the lower clergy. This points to a deeper structural dissent. The problem was not only that George's reform plans met a curia that was still *en route* to Trent; when the Roman reform discussion finally took the form of the Tridentine reform movement, it was the bishops—no longer the secular princes—who were its preferred partners. The alliances had changed.

In view of the depth of the mutual alienation, the historian must inquire into what reasons there had been for maintaining fidelity to Rome, just as much as into the option of a breach.[217] In the case of Duke George, the answer is unambiguous. The reason for his fidelity to Rome lay in his basic conservative attitude and his convinced Catholicism, on which he had reflected deeply. Not even the movement led by Martin Luther, which came into being in close proximity to him, caused him to vacillate. On the contrary, he believed that it was a heretical movement with roots in the Hussitism that he hated, and he fought against it passionately. Even when George vigorously demanded rights for his territorial church governance from Rome, it must be understood *eo ipso* as evidence of the unity of the pre-Reformation church, a church that had known regional autonomy, but had not genuinely called into question the

214 About the second trip in the summer of 1524, see Bishop Johann VII of Meissen's letter to Duke George, Wurzen, July 25, 1524, ABKG, Vol. 1, 710. Nothing is known about the content of the negotiations.—About Johanns VII's negotiations with the curia, see also p. 538 f.

215 See p. 185–189 and 475–478.

216 About Schönberg's position, see Kalkoff, "Prozeß," 412 f.

217 See Thomson, 214.

leading role of the papacy. Irrespective of all his activity in his own territory, therefore, Duke George always saw the question of church reform as linked to Rome. His commitment to the Council and to the Gravamina can be understood only on the basis of his inseparable bond to the papal church. Ultimately, it was only this bond that made it meaningful to fight for twenty-five years to attain the canonization of the Saxon reforming bishop Benno.

CHAPTER 7

The Empire

Among the levels of action of Duke George's church politics, the Empire was clearly less prominent than the territory, but also less prominent than the curia. This was to change when the question of religion became a matter of concern on the imperial level with the *causa Lutheri* at the Imperial Diet of Worms in 1521. Until that date, the importance of the Empire for territorial church politics had been limited to making an outstanding channel of communication available for matters that had the papacy as their true addressee.

The reason for the peripheral role of the Empire in church politics lay in the constitutional development of the late Middle Ages, which had made the territories in Germany the bearers of modern statehood. The head of the Empire had very few possibilities of exercising influence on the church in the territories.[1] The constitutional reality of the late fifteenth century shows how the relationship between the monarchy and the princes had changed precisely in the parts of the Empire that were distant from the Emperor: the few interventions of Emperor Friedrich III in the political development of Central Germany turn out, on closer inspection, to have been mere reactions to requests by the Wettins, who knew how to instrumentalize the Emperor for their territorial politics.[2] At the same time, the Empire was the most important frame of reference for the external relationships of the territories, but it was certainly not an exclusive frame of reference, since it was not only the Electors, but also Duke George, who had diplomatic contacts with the royal courts of Europe, neighboring Poland, Bohemia, Hungary, and also with England and France.[3] The structure of the three levels that Reinhard Staubner has

1 As an example of the stronger influence of the Emperor, see, e.g. the territory of Württemberg, Stievermann, *Landesherrschaft*, 33 f., 50–72.—The remnants of former power included the first requests of Roman kings, which Maximilian I often used. As in the case of papal provisions, however, their success was dependent upon the effectiveness of local petitioners. See Santifaller. The territorial lords sometimes used this royal prerogative for their own purposes. See p. 302.—About Maximilian's church politics, see Angermeier, "Kirche und Reichstag"; Wiesflecker, Vol. 2.

2 See Eibl, "Friedrich," 50.

3 In 1504 and 1510, treaties of alliance were established with Kings Henry VII and VIII of England, which were probably linked to the Albertine presence in Frisia. See King Henry VII's treaty correspondence, Greenwich (?), July 17, 1504, and King Henry VIII, Greenwich, May 10, 1510, loc. 7283/5, fol. 13, 34. There were further contacts in the early 1520s within the

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reconstructed regarding the political relationships of Duke Georg of Bavaria-Landshut—the house of Bavaria (the Wittelsbachs), the Empire, and European neighbors—can also be transferred to Albertine Saxony.[4] We should add that the closest system of external relationships encompassed not only the whole house of Saxony, but also the houses of Hesse and Brandenburg, with which they were linked by contracts of mutual heritage, as well as to the archbishoprics of Magdeburg and Mainz.[5] One of the specific conditions of Duke George's imperial politics was that, unlike his father or Friedrich the Wise, he maintained few contacts with the imperial house, and never personally served the Habsburgs.[6]

The Emperor and the Empire were thus not authorities that George had to take into consideration when he formulated his church politics. At most, he had to ward off claims made by the Empire with regard to the position of the Saxon bishops in imperial law,[7] but this scarcely affected the question of church governance and church reform. The old *advocatio ecclesiae* of the monarchy had long since *de facto* shifted to the lord of a territory. Duke George was himself the secular protector of the church in his territory.[8] When we consider church politics on the imperial level before 1521, we must primarily investigate diplomatic initiatives that Duke George took with the goal of harnessing the Emperor and the Imperial Diet for territorial interests.

1 The Emperor and other Princes as Allies in Rome?

One way of activating the Empire for territorial church politics was by petition campaigns. The Emperor and important imperial Estates were asked to

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context of public disputes with Luther. See p. 577.—In 1538, the King of France proposed a non-aggression pact with Duke George, offering a yearly pension of 5,000 Rhenish fl. See the note about Nickel von Minkwitz's proposal to Duke George [1538], loc. 7283/6, fol. 1.—A supposed treaty between Duke George (and Grand Master Friedrich) with the Tsar of Moscow, which was unsettling to King Sigismund of Poland, turned out to be a false rumor. See Duke Karl of Münsterberg's letter to Duke George, Oels, June 16, 1511 (with supplements), loc. 7283/6, fol. 1–3.

4 See Staubner; about the problems of princely foreign politics in 1500, see Carl; Merz.

5 See Rudersdorf, "Erbverbrüderung," 33–37.

6 See Thieme, "Albrecht im Dienste." From 1497–1499, Friedrich the Wise was the leading court advisor to King Maximilian I. See. Noflatscher; Ludolphy, *Friedrich*, 145–167.

7 See p. 203–215.

8 Duke George, however, did not make a direct reference to the old right of kings. See p. 434–438.

promote territorial concerns at the curia by a letter of support (*commendatio*).[9] This strategy was born of the insight that Saxony, as an imperial state on the periphery of the sphere of papal interests, was of little importance in the eyes of a papacy that extended throughout Europe.[10] The *commendationes* were meant to present the interests of Wettin church politics as something that concerned the Empire as a whole, thus giving them greater political weight.

It was only in the most important and prestigious matters that Duke George had recourse to this elaborate diplomatic tactic. We find it for the first time in the course of the nomination of High Master Friedrich of Saxony for the position of coadjutor of the archdiocese of Magdeburg, a prestigious dynastic project that George steered and financed. In the summer of 1505, Albertine counselors drew up model letters with which the king and a number of other "princes of the Empire" (whose names are unfortunately unknown) were to signal to the pope their support for the Wettin request. The consent of the head of the Empire in this matter was also significant, for George's plan had far-reaching implications for imperial politics: ultimately, it involved the question of whether the Wettins or Hohenzollerns would achieve hegemony in the mid Elbe region.[11]

Encouraged by the king's willingness to accommodate him, George endeavored afresh to get support for his curial politics in September 1509. This time the matter concerned the granting of a jubilee indulgence for the construction of the church in Annaberg, a favor that the Saxon procurators had been seeking for some time—in vain.[12] George mentions how difficult it was to get through to the pope with his concern: he "has been told that the request in question [the Albertine petition] has not been accepted by His papal Holiness, and that it is presumably hardly possible to obtain it without the special support and advocacy of the Imperial Majesty our most gracious Lord." George instructed his envoys that, in addition to imperial advocacy, all the ecclesiastical and secular imperial princes who were present at the Emperor's court should be asked to make similar petitions. Indeed, if possible, even the French king—we

9 According to diplomatic form, such letters were not independent petitions, but rather recommendations—the key verb is *commendare*—which supported the actual petitioner's supplication. Therefore, they were dealt with as diplomatic correspondence and were read directly at the consistory. The consistory records of August 9, 1518 reads *"Fuerunt lectae literae ill*[*ustrissi*]*mi domini Federici ducis Saxoniae* [...] *quibus commendabat canonizationem beati Bennonis."* See. A. S. V., Archivio Concistoriale, Acta Vicecancellarii, Vol. 2 (1517–1523), the quote, fol. 87r (old count: fol. 67r).

10 See ch. 6, section 1.

11 See below, section 3.

12 See p. 150.

are in the period of the League of Cambrai—was to be invited via the imperial court to be an advocate in this cause.[13] The activation of the Emperor, however, did not turn out to be an ideal path, for the Habsburg influence in Rome had diminished to an all time low under Maximilian in the course of the progressive alienation between the curia and the Empire.[14] It was only in 1516/17 that George achieved his goal by means of his own curial diplomacy.[15]

The third concern for which George tried to get the support of the Emperor and the Empire vis-à-vis the curia was the canonization of Benno of Meissen. But in the process of canonization, which lasted for twenty-four years, it was only in the decisive final phase (1518–1523) that George had recourse to this method, while the Albertine diplomacy (as in the other two cases) continuously attempted to get the advocacy of cardinals and influential members of the curia.[16] We can see here the flanking role of imperial support, which merely complemented George's curial diplomacy. In the case of Benno, this support was impressively broad, evidence of the prestigious position of Duke George in the imperial federation. In addition to Maximilian I, Charles V, and Archduke Ferdinand, all the secular and ecclesiastical Electors with the exception of the Elector Palatine requested the pope to canonize Benno, as did dukes Heinrich of Saxony and Karl I of Silesia-Münsterberg and the bishops of Meissen and Cammin. The surviving consistory minutes show that their letters of recommendation, all of which were due to George's initiative, were in fact read aloud in the highest body of the Roman church.[17]

Naturally, Duke George himself also wrote letters of recommendation for other imperial Estates. In 1524 he asked Pope Clement VII *"ex hac n[ost]ra com[m]endatione"* to confirm the election of Georg von Blumenthal, bishop of Lebus, as bishop of Ratzeburg.[18] The activation of the Emperor and the

13 Duke George's instructions to Hans von Goldacker, Schellenberg, September 20, 1509, cop. 112, fol. 116v–118r.

14 See Tewes, *Kurie und Länder*, 309–313; Schmid, "Peraudi," 65–88.

15 See p. 149–157.

16 See Volkmar, *Heiligenerhebung Bennos*, 69–100.

17 See Volkmar, *Heiligenerhebung Bennos*, 95–98.

18 Duke George's letter to Pope Clement VII, Dresden, November 10, 1524, A. S. V., Segretaria di Stato, "Principi," Vol. 2, 150 f.—George's petition was possibly the result of a request by Elector Joachim I of Brandenburg, whose protegé and advisor was Bishop Georg von Blumenthal from Lebus. Duke George also maintained business dealings with the Bishops of Lebus. In 1518, the duke paid off a credit of 15,000 fl. to Bishop Georg's predecessor. See Kopiec; Duke Johann the Younger's letter to Duke George, Dresden, May 27, 1518, loc. 8498/1, fol. 287 f.; Duke George's letter to the Dresden governor, Augsburg, May 31, 1518, loc. 8498/2, fol. 23–25.—At the Diet of Augsburg in 1530, George wrote a letter of

imperial princes to support the Albertine interests in Rome, reminiscent of a campaign, is typical of the character of George's church politics on the imperial level, which was diplomatic and ultimately oriented to the pope.

2 Anti-Roman Sentiments and the Call for Church Reform

Criticism of Rome and church reform was a constant element in the imperial assemblies of the fifteenth century and the more strongly institutionalized Imperial Diets that emerged from approximately 1470. The Acceptation of Mainz in 1439 was an attempt to implement reform decrees of the Council of Basel in the Empire. After the epochal concordat of Vienna (1448), the discussion of church reform on the level of the Empire was determined by the *Gravamina nationis germanicae.* These texts (literally: "encumbrances" on the German nation) denounced the continued infringement of the concordat by the curia and mentioned first and foremost the appointment to German benefices and the duties that were levied. In an accusatory tone, they demanded an end to the fiscal exploitation of the Empire, and sometimes also the renewed enforcement of the reform decrees of Constance and Basel, which the concordat had woefully failed to implement.[19]

The Imperial Diets offered an appropriate forum for criticism of Rome and for reform demands. They could claim to represent the weak and fragmented Empire in its splendor, and when legates were present, they could negotiate directly with the pope. This exclusive contact was disturbed at the close of the century by the increasing alienation between the curia and the Empire, but it never completely broke off. At the prompting of King Maximilian, the Imperial Diet of Augsburg of 1500 resolved to send a delegation to negotiate with Pope Alexander VI in Rome about the Gravamina. In the following year, the Imperial Diet of Nuremberg dictated to Cardinal Raymond Peraudi the (financial) conditions for the authorization of his great jubilee indulgence campaign in the Empire.[20]

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recommendation for Johann Weze as designated archbishop of Lund. See Duke George's letter to Pope Clement VII, Augsburg, October 13, 1530, Acta Pontificum Danica, Vol. 6, 463 (no. 5042). About George's efforts on behalf of the canonization of Antoninus of Florence, see Volkmar, *Heiligenerhebung Bennos*, 97 f.

19 See Scheible, "Gravamina," 167–174; Wolgast, "Gravamina," 131 f.; Gebhardt. For fundamentally new conclusions about the legitimacy of the German gravamina, see now Tewes, *Kurie und Länder*, 303–313.

20 See Schmid, "Peraudi," 65–80; Angermeier, "Reichstag und Kirche," 55–64.

Duke George made only selective use of the Imperial Diets for his church politics. This began with his personal presence. He attended many, but by no means all, of the Imperial Diets of the pre-Reformation period. He recalled that he had first attended an Imperial Diet as "a young man" accompanied by his father, in Nuremberg (1487?). He was present at the great reforming Imperial Diet of Worms in 1495, but did not attend the Diets in Augsburg in 1500 and Nuremberg in 1501. It was only in 1505, at the Imperial Diet of Cologne, that he received his regalian rights after succeeding his father in the year 1500. A conflict emerged in Constance in 1507 thanks to the dispute with Bavaria about seating.[21] This was a major contributing factor to the irregularity of George's attendance at the Imperial Diet. The conflict about the precedence on the bench of princes was between the members of the houses of Wettin and Wittelsbach, who were subordinate to the Electoral dynasties. In addition to the dukes of Bavaria, this also affected the later-born Friedrich of the Palatinate. It escalated at Worms in 1521.[22] Basically, this meant nothing less than ensuring one's own position in the Estates of the imperial federation by personifying this position at the Imperial Diet.[23] The smoldering conflict was one reason why Duke George did not attend the Reformation Imperial Diets in the 1520s—greatly to the detriment of the Catholic party.[24]

2.1 *The Imperial Diet at Augsburg (1518)*

Duke George's commitment at the pre-Reformation Imperial Diets focused on the years 1518 and 1521. The topic of the *Gravamina* was once again virulent in Augsburg and Worms. George was not behind this; rather, it was the papal summons to a new crusade against the Turks (and to financial support of this venture) and the increasing public criticism of Rome (Wimpfeling, Hutten, Luther) that paved the way for the renewed debate.[25] It would be worth presenting in detail the various facets of George's visits to the Imperial Diets on the Lech and the Rhine,[26] but we examine them here only to ask to what extent they offered a forum for territorial church politics.

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21 Duke George's letter to Emperor Karl V [Dresden, February 1532], ABKG, ms. Werl, no. 2311.—George was also present at the Diets of Augsburg in 1510 and 1518. See n. 56 and the following section.

22 See Scheible, "Fürsten," 371 f.

23 See Neuhaus, "Repräsentationsformen"; Sikora; Kohnle, *Reichstag*, 11–20.

24 See Kohnle, *Reichstag*, 130, 228, 231.

25 See Scheible, *Gravamina*, 175–177.

26 For example, the friendship between George and his host Jakob Fugger at the Diet of Augsburg, and the duke's encounter with sacred art of the Renaissance in the new Fugger

In the case of Augsburg, the answer is linked to documents from the late summer of 1518. On August 5, the legate Cajetan had held his discourse before the Imperial Diet, and the Estates had to reply. George saw this as an opportunity for direct negotiations with the curia. With his own hand, he wrote a draft for a reply by the Estates.[27] A comparison of this text with the *de facto* response of the Estates reveals both George's intentions and the scanty resonance that his position found at the Imperial Diet. The Estates saw Cajetan's demand for a tax to finance the Turkish crusade as a new variant of Rome's financial exploitation of the Empire. They responded by presenting a new list of notorious Gravamina. They did indeed proclaim *pro forma* their readiness to help in the fight against the Turks, but they predicted that their subjects would resist the projected taxes.[28]

Duke George's draft was completely different. There are pointed remarks against Rome; it is likely that his provocative comment—that the papal treasure chest for crusades must be full to the brim thanks to the indulgence money and annates that had mounted up over the last decades—found its way into the reply by the Estates,[29] but there is no trace of any Gravamina. George's goal was not resistance, but communication. The well-meaning Saxon prince was certainly able to envisage accommodating the pope's wishes and exacting from his subjects a tax to finance the Turkish crusade. This, unlike the reply from the Estates, was no mere lip service: in a memorandum to Elector Friedrich, George specified concrete figures for a campaign in the Empire.[30] He attached

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chapel. See Tewes, "Luthergegner," 330 f., and see p. 379–384. About the visit to the Diet of Worms, see Scheible, "Fürsten," 390–397.

27 See Duke George's draft of an answer to the estates [Augsburg, August 5–27, 1518], ABKG, Vol. 1, 41–43.

28 See the imperial Estate's answer to the papal Legate's proposal, Augsburg, August 27, 1518, Janssen, *Reichskorrespondenz*, Vol. 2, 978–981. See also Scheible, *Gravamina*, 176.

29 See George's draft, 1518 (like n. 27), 42: "Thus there is great confidence that his Papal Holiness will also use the wealth accumulated over time through many jubilees in many countries, as well as by the collection of annates [in a campaign against the Turks]." See the answer from the imperial estates, 1518 (like n. 28), 980: "and although they [the Germans] […] have done their part in spending their wealth for such crusades and indulgences, expecting that it should be used for an expedition and campaign against the Turks […]. Furthermore […], annates had initially been approved only for a few years in order to resist the Turks."

30 George speaks of an Imperial contribution of 30,000–40,000 men for three years, financed "according to the subsidy that had recently been computed for the Roman Campaign." Duke George's memorandum to Elector Friedrich [Augsburg, prior to September 6, 1518], ABKG, Vol. 1, 44.

a very different demand to the payments from the Empire, however; the Pope was to convoke a Council at which "above all, a common reformation of the ecclesiastical and secular Estates is to be undertaken."

A crusade against the Turks in exchange for a Council, payment of taxes in exchange for church reform—these were George's offers to negotiate with the legate. He had so often been fobbed off by Rome, but now he finally saw an opportunity to get the curia to make concessions regarding reform. He wanted to make use of the opportunity to communicate in the name of the Estates. Ideally the preparatory discussions for the Council between the Imperial Diet and the Legate would begin at once: "If it pleases the Imperial Majesty that this decision of yours may not suffer delay, the Estates are willing to come to an agreement with the legate of His papal Holiness with regard to the Christian assembly and the time, so that action may be taken to the best advantage."[31]

As the answer given by the Estates (cited above) shows, Duke George was unable to find a majority for his position at the Imperial Diet. The old Emperor Maximilian did indeed support the Turkish tax for the simple reason that his hereditary lands lay perilously close to the Turkish frontline,[32] but not even he took up the idea of a Council. It was impossible to realize George's attempt to use the Imperial Diet to obligate the curia to church reform, because the Estates did not share his enthusiasm. As a sole prince, George could achieve little at the Imperial Diet, especially because he had no access to the exclusive curia of the Electors and therefore had much less influence on the agenda and the decisions of the Imperial assembly.[33] It was only in the following years, when the unity of religion broke down as a result of Luther, that the Imperial Diet also called for the Council.

2.2 *The Imperial Diet at Worms (1521)*

The three years between Augsburg and Worms not only decided Luther's future, they also saw the debate in the Empire about the Gravamina reach its peak. In 1520, the 1510 Gravamina that Wimpfeling had drawn up for Emperor Maximilian appeared in printed form. Luther's *Appeal to the German Nobility* took up this popular theme and was an instant bestseller.[34] For a single moment in world history, between the summer of 1520 and the condemnation of

31 George's draft, 1518 (like n. 27), 42.

32 See Scheible, *Gravamina*, 176.

33 See Kohnle, *Reichstag*, 11–20; Neuhaus, "Repräsentationsformen"; id., "Wandlungen."

34 See Scheible, *Gravamina*, 176–178; Wolgast, "Gravamina," 132.—about Wimpfeling's reform evaluation, see Ulmann; Tewes, *Kurie und Länder*, 305–307.

Luther in Worms, it seemed as if Luther's Reformation and the familiar criticism of Rome were one and the same.

The anti-Roman sentiment at the Imperial Diet of Worms was so dominant that Aleander believed that the entire Empire was against him.[35] The alarmed nuncio informed the curia that even Duke George, "*olim tutto nostro*," had taken a stance against Rome.[36] Naturally the background to this verdict, which was speedily reversed,[37] was not George's attitude toward Luther, but his participation in the drafting of the Gravamina of the Imperial Estates. When Charles V wished to present the outlawing of Luther to the Estates, they not only demanded on February 19, 1521 that the Wittenberg professor should get a hearing; they also wanted to discuss "that which is a burden and an abuse to the Holy Roman Empire, much of which comes from the Holy See in Rome." Charles warned them not to link Luther's heresy and the justified complaints against Rome together, and allowed a commission to be set up.[38]

The 102 Gravamina that the Worms commission drew up in the name of the Imperial Estates was characterized by a broader goal. In addition to twenty-eight complaints about the curia, there were now seventy-four articles about the clergy in the Empire. The paper listed "complaints about the archbishops, bishops, and prelates alone," and added complaints about cathedral canons and parish priests, monks and nuns. It spoke in great detail about the conduct of the ecclesiastical courts,[39] thus covering the entire spectrum of the late medieval reform discussion, and it gave a completely new orientation to the discussion of the Gravamina on the Imperial level, since it attacked the higher clergy of the Empire, who had originally been the bearers of the anti-Roman Gravamina movement.[40] In Worms, these became the complaints of the secular Estates against *the* clergy—Luther's *Letter to the Christian Nobility* was making an impact.

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35 Aleander's reports from the Diet of Worms are accessible in many editions as a crucial source for the history of the Reformation. See Balan; Brieger; Lämmer; as well as many adaptations from these in: RTA, JR, Vol. 2; ABKG, Vol. 1. The most recent compilation: Fabisch/Iserloh, Vol. 2.

36 Nuncio Hieronymus Aleander's report to the papal Vice Chancellor Giulio de Medici, Worms, February 28, 1521, ABKG, Vol. 1, 159, n. 1 (also in: RTA, JR, Vol. 2, 662, n. 1).

37 See Scheible, "Fürsten," 390.

38 Quoted from Wolgast, "Gravamina," 132; see Kohnle, *Reichstag*, 85–104.

39 Draft of the German nation's 102 complaints [Worms, March 1521], RTA, JR, Vol. 2, 670–704.

40 Counter complaints by representatives of the imperial clerical Estates, who left the gravamina committee under protest, were not excluded. See Wolgast, "Gravamina," 132; Scheible, *Gravamina*, 182.

Duke George made a very significant contribution to the Gravamina of Worms with his own list of fourteen complaints. Some of these articles were adopted without any changes by the commission of the Imperial Diet.[41] His complaints were not, however, spontaneous statements of opinion. Even those Gravamina that were not directed against Rome had a lengthy prehistory. They can be traced back to a compilation of complaints from 1499 that were written in preparation for reform negotiations with the Saxon bishops in Naumburg.[42] This indicates that George's commitment went beyond criticism of Rome. If we compare the texts more closely, we notice one major difference. Whereas the Gravamina of Worms note the presence of abuses on every level of the clergy, George's preparatory work for Worms while containing complaints against Rome (the system of benefices and trafficking in indulgences), complains only about one institutional branch of the Imperial church, namely, the system of ecclesiastical courts.[43]

This cannot be due to an insufficient overview on George's part, as we see already from the Naumburg Gravamina, which fixed their sights not only on the ecclesiastical courts, but also on the bishops, prelates, and the lower clergy;[44] rather, this was a conscious self-restriction. George knew of the general demand for reform, but my conclusion is that he did not regard the Imperial Diet as a suitable forum for resolving everything. Monastic reform, the supervision and discipline of the lower clergy, the discharge of their office by prelates and cathedral canons—all these were problems that had to be solved locally, and problems that George had already tackled efficiently within the framework of territorial church governance. Here, at least, the prince did not need the Empire.

On the other hand, the Gravamina against Rome and the church courts concerned areas that required even a strong prince to have recourse to negotiations, because the ecclesiastical dialogue partner could not be made subject to his secular rule. He saw the Imperial Diet as an appropriate forum for these

41 Duke George's complaints against the clergy at the Diet of Worms [early February 1521], ABKG, Vol. 1, 150–153 (likewise in: RTA, JR, Vol. 2, 662–666).—About the submission procedure for the imperial gravamina, see Gebhardt, 106 f.

42 See "Gebrechen, so inn geistlicher ordnung stehn" [prior to June 17, 1499], with an incorrect title, edited in Burkhardt, *Landtagsakten*, 46–49. See also the Dresden copy in loc. 14950, "Konzepte […]," 1474–1525 (unpag.) as document no. 9 in the fascicle with the label "1502" bearing the title "gebrechen, so inn geistlicher ordnung stehn." On this, see ch. 9, section 2.—Proof of the direct interdependence of both lists is detailed in Schulze, *Fürsten*, 123–128.

43 See the draft of 102 complaints, 1521 (like n. 39); George's complaints, 1521 (like n. 41).

44 See "Gebrechen," 1499 (like n. 42).

negotiations with the curia, and the bishops responsible for his territory as those who stood behind the church courts. Already in Augsburg, in the context of the negotiations about the Imperial Chamber Court, George had demanded that the Empire should also take a position on the perennial debate about the delimitation of competencies between ecclesiastical and secular justice. In particular, George wanted to discuss "which matters are spiritual or secular," and to anchor "in the ordinance of the Empire" the basic principle that each court system was permitted to be active only in its own legal sphere.[45] This shows what George was hoping for when the Empire was brought into play. As with the demand for a Council that was addressed to the curia, so too was the authority of the entire Empire to be deployed using the Imperial Diet as a channel of communication for the demands to the bishops, thereby strengthening the position of the princes. George subsequently negotiated with Cardinal Albrecht (Mainz, Magdeburg, Halberstadt) and the bishops of Central Germany, appealing explicitly to "the great complaint at the recently held Imperial Diet at Worms."[46] Duke George thus saw in the Imperial Diets the possibility of lending the political weight of the Empire to the demands for reform that he was addressing to the pope and the bishops, thus promoting church reform outside his own sphere of influence. For church reform in his own territory, he had no need of the Empire.

It is thus logical that George's complaints at Worms again ended in a demand for what he viewed, from his time in Augsburg until the end of his life, as the solution to the crisis of his age: "It is therefore necessary that a general reformation take place, and there is no more convenient way to make this improvement than through a general Council. We all therefore request with all due zeal and all submissiveness that the Council be promoted."[47] Once more, however, there was no majority for his call for a Council; in fact, the nuncio Aleander is said to have worked to defeat this idea.[48] Aleander sent George's complaints to the pope, who replied in a brief of March 16 that did not once mention the call for a Council,[49] which the Protestant movement was coloring with an anti-papal orientation.[50] The imploring use of the "we all" reflects

45 George's memorandum, 1518 (like n. 30), 44—About the content, see ch. 9.

46 Duke George's answer to Cardinal Albrecht's proposal, Dresden, August 12, 1521, ABKG, Vol. 1, 182–184. See also ch. 24, section 2.

47 George's complaints, 1521 (like n. 41).

48 See Scheible, *Gravamina*, 180.

49 See Pope Leos X's breve to Duke George, Rome, March 16, 1521, ABKG, Vol. 1, 159 f.—About the submission of George's complaints through Alexander, see RTA, JR, Vol. 2, 662, n. 1.

50 See Brockmann.

George's endeavor to get the Imperial Estates to accept his church-political demands and make use of the Imperial Diet as the exclusive negotiating channel with the curia, not only as a forum for territorial church reform, but also for universal church reform.

3 Wettin Princes and the Imperial Church

One very traditional sphere of princely politics lay far from any interest in reform, namely, the acquisition of canonries and bishoprics for members of dynasties who entered the clergy. Two motives were decisive. First, it was important that an appropriate provision be made for the sons who were not destined for succession. An ecclesiastical career not only made it possible to cover financial needs without imposing on the father's resources, it also gave later-born sons an opportunity to attain, as princes of the church, ruling positions that they could not attain in their own family. This motive was linked to the second, that being the strengthening of a family's position by the creation of natural allies in the episcopate of the Empire. The prototype of these dynastic church politics can be seen in the Bavarian Wittelsbachs, whose ambitions were initially concentrated on the dioceses in Bavaria that were self-governing under the Emperor. Later, in the Early Modern period, they concentrated on the Rhenish archbishoprics, which held key positions in the struggle between the confessions. The Wettins also carried out successful power politics via the crozier at the end of the late Middle Ages. Since Saxon bishoprics had become *de facto* subordinate to the prince, they were no longer rewarding positions. The Wettins therefore expanded into the Empire. Their central interest concerned Magdeburg, the old imperial residence on the Elbe and head of the church province east of the Elbe. They competed with the Hohenzollerns to secure this archbishopric. In 1476, Ernst of Saxony, a brother of Friedrich the Wise, was elected as coadjutor, and he kept Magdeburg and Halberstadt in the hands of the Wettins until 1513. Wettins were also present as bishops in the Altsiedelland; in 1482, Albrecht, another brother, was elected as coadjutor of Mainz.[51]

When Duke George assumed the regency in Albertine Saxony in 1488, the house of Wettin was highly active in dynastic church politics. The impulses came from the Electoral line, but the young George also became active. Initially

51 See Blaschke, *Geschichte Sachsens*, 292 f.; Rogge, "Ernst."—Dieter Stievermann characterizes the success of the Wettins in claiming episcopal sees as proof of their hegemony in Central Germany. See Stievermann, "Hegemonen," 382.

in cooperation with his father, he assumed responsibility for the ecclesiastical careers of family members. His involvement concentrated primarily on his younger brother Friedrich (1473–1510). George's starting point was unique: even as a ruling prince, he himself held ecclesiastical benefices.

The records in Dresden attest—contrary to the usual view taken by historians—that George initially retained his benefices even after he took on the regency in Saxony. It was only in the autumn of 1494, six years after he began to rule, that he returned to the lay state, and married soon afterwards. There was only one reason for this remarkable delay: the cathedral canon who had become heir to the throne was endeavoring to retain his benefices, and the election opportunities that were linked to them, for his dynasty, by passing them on to his brother. Already in a petition to his father, probably written in 1489, he had developed a plan "to let his noble brother receive the office of Provisor in Erfurt and near Eichsfeld, with several prebends in Mainz and Cologne."[52] To this end, in 1492 procurators in Rome obtained rights of succession for Friedrich; these were to be presented in Cologne and Mainz together with George's resignation.[53] It is, however, clear that there was a resistance in the cathedral chapters that prevented the realization of these plans. In 1494, George began a fresh attempt in Mainz; we hear nothing more of the canonry in Cologne. Duke Albrecht advised his son about potential problems: there were third parties to whom the pope might grant the right of succession, and the clauses of the chapter statutes stipulated that it was necessary to find out whether the canons consented. In order to neutralize the Roman competition, he recommended that George should resign the Mainz canonry in favor of Friedrich into the hands of the pope so that papal authority would guarantee the exchange of benefices. Only negotiations with the chapter could overcome the resistance in Mainz.[54] The Mainz exchange finally took place in the autumn of 1494. On October 31, Friedrich was inducted into the cathedral chapter, one month after Archbishop Berthold von Henneberg had appointed him Provisor in Erfurt and *Amtmann* in Eichsfeld.[55] Duke George subsequently kept an eye

52 Duke George's entreaty to Duke Albrecht in the Netherlands, n.d. [1489?], loc. 10041/10, fol. 1–4, here fol. 1r. Dating this piece at 1489 is based on the date given for the second document in the same file, also correspondence to Albrecht (ibid., fol. 5–8), on the Wednesday of Simon and Jude. For this day to coincide during the period of 1488–1494, the only year possible is 1489.

53 See the cover letter to Duke George's procurator at the courts of Mainz and Cologne [1492], loc. 8954/9, fol. 5.

54 See Duke Albrecht's letter to Duke George, "Grave," August 7, 1494, loc. 8954/10, fol. 2.

55 See "Litterae consensualis," Bernhard von Breitenbach, cathedral dean at Mainz, Mainz, October 31, 1494, O.U., no. 9061 (confirmation of George's resignation and the transfer of

on his former benefices in Mainz. In the spring of 1510, a few months before the death of his brother Friedrich, George planned to "make" one of his own sons "Provisor in Eichsfeld."[56]

The transfer of the benefices in Mainz to Duke Friedrich laid the foundations of a steeply ascending ecclesiastical career. The young cathedral canon went to the court of Berthold von Henneberg, where he made connections that led, as early as 1498, to his election as High Master of the Teutonic Order.[57] Even after his ascent to the head of the Prussian order-state, Friedrich was able to count on vigorous support from George. The High Master needed political backing primarily in the context of the fraught relationship between the Order and its powerful neighbor, Poland. Here, George's tie to the Polish royal house through his marriage was a diplomatic advantage.[58] He also supported his brother by allowing the jubilee campaign for the Order's crusade in Livonia to be preached in Saxony. He gave him counselors (one of whom was Dietrich von Werthern), and in 1507 made the castle of Rochlitz available to him as a safe residence.[59]

In addition to political collaboration, Friedrich continued to be active in Duke George's church-political plans. As early as 1492/93, George supported his brother in an exchange of benefices through which the latter acquired a canonry in the cathedral of Würzburg. In this affair, Duke Albrecht left it to his son to make the final decision about what the dynasty was to do, "as he shall find it advisable."[60] Ernestine records speak of plans to make the young cathedral canon the coadjutor of the bishop of Würzburg.[61] George also supported Friedrich's election as High Master by sending his Court Marshall, Dietrich

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prebends to Friedrich); Archbishop Berthold of Mainz's document, Mecheln, September 30, 1494, O.U., no. 9053. See also O.U., no. 9055, 9062–9066.

56 See records of Duke George's negotiations with the Ernestines at the Diet of Augsburg [after February 21, 1510], loc. 10511/2, fol. 279–284, here fol. 283r.

57 See Forstreuter; Lückerath.

58 In 1505, George made a case to the pope that he had supported Friedrich and the Teutonic Order by "befriending the King of Poland through marriage." Draft of Duke George's position to Pope Julius II, n.d. [after April 14, 1505–1506, Sept. 6], loc. 8949/2, fol. 46–48, here fol. 46r.

59 See p. 387 and see Forstreuter, 527.

60 Duke Albrecht's letter to Duke George, Halle in Hennegau, February 1, 1493, loc. 8982/05, fol. 1.—Friedrich traded his (recently acquired) canonicate in Meissen for Georg von der Kere's canonicate at Wűrzburg. This showed the Wettins' low level of interest in Saxon canonicates that were nonetheless used as assets. See Duke George's letter to Bishop Rudolf and the Würzburg cathedral chapter, Dresden, December 13, 1492, ibid., fol. 2.

61 See Kirn, 14.

von Schleinitz, to Königsberg.[62] An exchange of letters between Dresden and Marburg shows how Landgrave Wilhelm II of Hesse endeavored, at George's request, to introduce Friedrich as a candidate at the election of the bishop of Münster in 1507/08.[63] But it is in George's greatest success, the installation of Friedrich as coadjutor of Magdeburg, that we see evidence of the fundamental interests he pursued in his dynastic church politics.

At first sight, Archbishop Ernst and High Master Friedrich appear to be merely actors in the endeavor to ensure possession of the highest ecclesiastical dignity in Central and eastern Germany for the Wettins. In reality, however, Duke George was not only the *spiritus rector* of this plan; he also held the reins of its political implementation. He had a favorable starting position; the relationship between Elector Friedrich the Wise and his brother Ernst was dysfunctional, and there was no Ernestine candidate for the succession since Friedrich the Wise was unmarried, and Duke Johann the Older had only one son at the time.[64] Duke George was therefore able to find a receptive listener in the archbishop when he proposed to his cousin in 1503 that Duke Friedrich be appointed coadjutor with the right of succession.[65] Naturally, the right of election belonged to the cathedral chapter in Magdeburg, which included not only Wettin sympathizers such as the dean, Günther von Bünau zu Elsterberg, but also adherents of the Hohenzollerns.

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62 See Schirmer, "Herrschaftspraxis," 369.

63 See Landgrave Wilhelm II of Hesse's letter to Duke George, March 2, 1508, StA Marburg, Bestand 2 (Politisches Archiv), III. B. 55a; Duke George's letter to id., December 2, 1508, ibid.—Since only Duke George's damaged letter of December 2 is available, Felician Gess believes that Friedrich intended to involve the Archbishop of Cologne; however, Wilhelm II had actually only engaged the archbishop to be his advocate. See Gess, *Klostervisitationen*, 6.

64 See Rogge, "Ernst," 53–56.—George's argument was based on the lack of an Ernestine candidate, which obviously also acknowledged certain Ernestine rights. See the following note.

65 The instructions to the Albertine envoy to Magdeburg's cathedral chapter state that in the previous year, George "had applied and strongly requested (to Archbishop Ernst) that he would, during his lifetime, bring a Saxon prince into the position as to succeed after his Excellency's death as next archbishop. Further, that in such a decision, it be noted that their graces the brothers Sir Friedrich, imperial marshal and elector of the Holy Roman Empire, and Sir Johann, brother and Saxon duke, etc., are not willing to enter the ecclesiastical estate and have no young son of their own, […] therefore his grace Duke George suggested to his Excellency of Magdeburg to choose his brother, the most reverend and high-born prince Sir Friedrich, high master of the Teutonic Order." Duke George's instructions for a mission to the cathedral chapter at Magdeburg, n.d. [1504], loc. 8949/2, fol. 74–77, here fol. 76r.

An Albertine embassy led by Dietrich von Schleinitz obtained the election of Friedrich in the late autumn of 1504.[66] The instruction that Duke George gave his counselors for the negotiations with the Magdeburg chapter allows us to see the great significance of the power-political calculation in his dynastic church politics: Friedrich's election as coadjutor was not meant to provide for a prince's son whose material needs had long been assured; it was meant exclusively for the good of the archbishopric, for which good relationships to its powerful Wettin neighbor were a matter of life and death. He writes "it is obvious that the archbishopric in Magdeburg is bordered and overlapped by the [Wettin] principalities of Saxony, Thuringia, and Meissen, so each part will be at peace and in good relations with the other, since unutterable damage and much that is bad may result from discord and contention." Since "naturally there must be greater love between blood-relations than between unrelated persons," the appointment of a Wettin to the episcopal see was the best guarantee of prosperity for the archbishopric, as the government of Archbishop Ernst demonstrated. While, however, the natural method of ensuring political continuity was not available in the case of ecclesiastical lords, "because the lord does not inherit the bishoprics, but is elected," the chapter was now responsible "to proceed prudently to such an election, so that that which already is good may not be destroyed [...], it is probable that nothing will be more profitable for the archbishopric in the future than for it to be provided with a prince from Saxony."[67] In return for the election, the Albertines promised the archbishopric protection, counsel, and aid and assured that any dispute that might arise would be resolved via negotiations involving "universities that were above suspicion."[68] Such treaties of protection gave concrete shape to the integration of Magdeburg into the system of Wettin hegemony.[69]

It was only after the election had taken place that George obtained the consent of the candidate himself. An embassy was to dissipate any doubts Friedrich might have had by making specific suggestions about how he was to behave in relation to the Teutonic Order and the pope. Friedrich was also

66 See the document from Heinrich the Younger, Count of Stolberg, Dietrich von Schleinitz the Elder and Hans von Werthern, n.d. [1504], ibid., fol. 2; Letter from the cathedral chapter and Archbishop Ernst of Magdeburg to Duke George, Magdeburg, December 13, 1504, ibid., fol. 19–21.

67 See Duke George's instructions, 1504 (like n. 65).

68 Document of Duke George and Duke Heinrich, Dresden, December 17, 1504, loc. 8949/2, fol. 5. The approval was limited to the lifetime of Friedrich the Elder and Archbishop Ernst, thus valid only for a Wettin-influenced Magdeburg.

69 See Stievermann, "Hegemonen," 381 f.

informed that George "has already undertaken some weeks ago to obtain from His Holiness the Pope that Your Grace will not only be allowed, but also commanded by His Holiness to accept a bishopric if this is offered to Your Grace."[70] Nothing shows the leading role of George, as head of the family more clearly than this chronology. The High Master turned out to be a willing instrument of Albertine church politics, "since we know that we are obliged to promote everything that may promote the honor, increase, and prosperity of our Order, the house of Saxony, and ourselves." Friedrich also left it to George to decide about further negotiations with Magdeburg and Rome.[71]

Confirmation by the pope was now the final hurdle. Friedrich required a dispensation in order to hold two dignities that were, *per se*, incompatible. George held the reins firmly in his hands during negotiations with the pope. Günther von Bünau zu Elsterberg, the Magdeburg dean, and Hans von Schönberg were sent to Rome, where their names were entered in the book of the confraternity of the Anima on January 14, 1506 as "*domini Ernesti, archiepiscopi Magdeburgensis,* [...] *nec non illustrissimorum principum domini Frederici, magistri generalis Ordinis Theutonicorum, et Georgii fratrum, ducum Saxoniae, apud s.d.n. Iulium papam II. oratores.*"[72] In the summer of 1506, they obtained the necessary letters of favor. The correspondence and the financing of the procurators show clearly that Duke George, the last to be named, was their real employer, who even overtook the dispensation fees and the annates for his brother.[73] High Master Friedrich, who resided in far-off Königsberg, supported the mission only indirectly: he rewarded the involvement of the cathedral dean in Magdeburg by making him bishop of Samland in the summer of 1505.[74]

George also began a diplomatic offensive in the Empire and at the curia to promote this affair. Following the same pattern that was implemented in

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70 Duke George's instruction for a proposal to Duke Friedrich the Elder, n.d. [turn of the year 1504–1505], loc. 8949/2, fol. 12–16, here fol. 14r+v. The proposal came "now, after the finished election," close to the end of negotiations in Magdeburg in early December. It shows that before Günther von Bünau zu Elsterberg was sent as George's procurator to Rome in 1505, he had already been familiar with the matter.

71 "[...] for which we are unable to give you any guidelines." Duke Friedrich's answer to Duke George's proposal, n.d. [turn of the year 1504–1505], ibid., fol. 7 f.

72 Jaenig, 37 f.

73 See below and p. 157–161.

74 About Bünau the person, see p. 134 and see Volkmar, "Kurienprokuratoren."—The bishoprics of Samland and Pomesania were located directly within the territory of the Teutonic Order. The Samland cathedral chapter was located at Königsberg and was incorporated into the Teutonic Order. See Boockmann, "Samland."

the canonization process for Benno of Meissen,[75] every possibility of influencing the pope, from Emperor to cardinal, was exploited. This can be seen in the internal correspondence of George's counselors, which also gives us a rare glimpse into how they operated. In the early summer of 1505, the Lord Marshall, Heinrich von Schleinitz, sent a bundle of papers from Dresden to the Albertine envoys at the archbishop's court.[76] It contained drafts for letters of recommendation to the pope, which were to be sent by the archbishop and the cathedral chapter, but also by King Maximilian I and unspecified "princes of the Empire." For the letters that were to be sent from Magdeburg, both George's chancellor Heinitz and the Lord Marshall had supplied Latin drafts of their own, from which Archbishop Ernst was to choose.[77] Other drafts were presented to Ernst only for his information, such as the draft that was meant for the king. There is evidence, at least in the case of King Maximilian, that the petitioner envisaged by George did in fact write the letter to the pope.[78]

Besides this, the Albertine counselors sought the advice of the archbishop regarding such things as the dues that would have to be paid to the curia. A provisional list that a Roman procurator of George had drawn up was submitted to Ernst with the inquiry of "whether His Grace can point out anything excessive in it."[79] George also sent his cousin a letter from Cardinal Raymond Peraudi. The cardinal had offered "to promote this matter and has sent copies of how one is to write to His papal Holiness and some cardinals." Objective errors had, however, been found in Peraudi's drafts; the Lord Marshall sought to explain these by saying "that perhaps the pious Lord has not been well

75 See Volkmar, *Heiligenerhebung Bennos*, 92–98.

76 The group of files is composed of a cover letter and 8 drafts labeled "A-H." See cover letter [from Heinrich von Schleinitz] to Duke George's advisor [Günther von Bünau zu Elsterberg?], n.d. [after April 14, 1505–1506. Sept. 1505], loc. 8949/2, fol. 44 f.; the drafts, ibid., fol. 33–37, 46–59.—About the dating, author and recipient of the piece: fol. 44v indicates that Schleinitz was the author of the cover letter, because the writer mentions having written an edited draft of a letter to Peraudi (from April 14, 1505) and then labeling the draft as "the copy of the High Marshal's changes." About the similarly unnamed recipient of the cover letter, it was said that he was active as an envoy at the archbishop's court together with Hans von Schönberg and [Christoph von] Taubenheim. Because he (with others) sent a proposal to the pope, which Schönberg and Bünau zu Elsterberg as procurators sent to Rome on September 6 from Halle, I tend to believe that Bünau was the recipient.

77 See ibid., fol. 44r, the drafts, ibid., fol. 33–37.

78 See ibid., fol. 44v, the draft ibid., fol. 54 f. See also the copy of King Maximilian I's letter to Pope Julius II, Brussels, August 31, [1505?], ibid., fol. 95.

79 Cover letter [1505] (like n. 76), fol. 45r.

informed about the situation of the land." In view of Peraudi's many years of experience in Germany, this situation is surprising. The old Lord Marshall's knowledge of Latin is impressive: he commented that he "had misgivings and had [...] alterations made in the Latin of the same copies."[80]

Finally, the post included a petition from Duke George to the pope written in German, which the envoys at the archbishop's court—the future procurators Bünau and Schönberg, who left Halle for Rome in September—were to "read through and make improvements as you shall judge right, [and] make alterations in the Latin."[81] George also wanted to use arguments of power politics vis-à-vis the pope. After Friedrich had become High Master in Prussia, the Wettins, and especially George himself, had given political support to the Teutonic Order. If Friedrich were now to be compelled to abandon the dignity of High Master in favor of the coadjutorship—George did not speak of the opposite possibility—the political survival of the Teutonic Order would be called into question, "since the order at present is nowhere so powerful that it could resist unjust force without help and the aid of a powerful lord." On the contrary, George was sure that the union of the two dignities "would increase and prosper in all that is good, for thereby the power of His Grace [= Duke Friedrich] would become greater."[82]

The confirmation of the thirty-two-year-old Duke Friedrich as coadjutor of Magdeburg was the greatest success of Duke George's dynastic church politics. The house of Wettin hoped to control the archbishopric of Magdeburg in the coming decades and to integrate it ever more closely into its system of hegemony. We should note that the matter of Magdeburg, involving a direct financial commitment of approximately 15,250 florins, was the most expensive undertaking of George's church politics. In view of his usual thrifty attitude and his preference for procuring "financing by others" (for example, in Annaberg), this is a strong indicator of the significance of traditional princely church politics, ultimately dynastic power politics.[83] In principle, George knew that he was of one mind in this strategy with the Ernestines, who had invested a total of 25,000 florins in the succession of Albrecht of Saxony in Mainz at the beginning of the 1480s.[84] Now it was the Albertine line that represented the goals of the sphere of Wettin interests. The tradition that began here continued until Duke Moritz, who requested the lordship over the episcopal territories

80 Ibid., 44v.

81 Cover letter [1505] (like n. 76), fol. 44r.—About the recipient, see n. 76.

82 Duke George's proposal [1505] (like n. 58), fol. 47.

83 See p. 157–161.

84 See Kirn, 5.

of Magdeburg and Halberstadt from the Emperor in the Treaty of Regensburg (1546).[85] But how would the Ernestines cope with the successes of the younger line?

Dynastic chance soon brought George's great success to nothing. On December 14, 1510, High Master Friedrich died of oedema in his "safe residence" of Rochlitz.[86] When it became known that he was dying, the Albertine attempted to prevent the complete loss of a position that had been highly expensive. Lord Marshall Heinrich von Schleinitz traveled to the dying man in Rochlitz and discussed plans with Friedrich's counselor Hiob von Dobeneck, who had been an ally of Duke George since he had become provost of Zschillen.[87] The two of them obtained a promise from Archbishop Ernst that he would not accept a new coadjutor without Duke George's consent. Five days before Friedrich's death, Schleinitz proposed to his master that he should consider his second son, Friedrich the Younger, as future coadjutor.[88] Archbishop Ernst also favored the new Albertine candidacy, but he warned against competition from Brandenburg, "for the Margrave does not rest, and your cousin [Archbishop Ernst] is a slender reed who is getting old and weak."[89] George was willing to sacrifice the position in Prussia in order to save the Magdeburg option, which had cost so much. Through Schleinitz, he signaled to Dobeneck his support for the ambitions of Albrecht von Brandenburg-Ansbach of procuring the office of High Master; this was doubtless linked to the hope that the Zollerns would keep quiet in Magdeburg.[90]

It was Elector Friedrich the Wise, of all people, who put an end to these plans. Instead of seeking the advantage of the Wettin house as a whole, he

85 See Stievermann, "Hegemonen," 393.

86 See Rogge, "Ernst," 63; Forstreuter, 526.

87 In 1501, Hiob von Dobeneck, OT, provost at Zschillen, was probably elected as Bishop of Pomesania (located in Riesenburg) of Pomesania due to the influence of High Master Friedrich. Documented from 1504/05–1510 as a counselor to the high master, he took over governmental affairs in 1507 after Friedrich's retreat from Prussia. Dobeneck's enduring connection to Saxony was expressed by his endowment of relics to the Annaberg collection through his Samland colleague, Günther von Bünau. See Biskup/Janosz-Biskupowa, 32–37; Lückerath, col. 962; Duke George's instructions, 1504–1505 (like n. 70), fol. 16r; about the collaboration with Duke George, see also p. 255 f.

88 See Heinrich von Schleinitz's letter to Duke George, [Rochlitz] December 1510, loc. 8949/3, fol. 1 f.

89 Archbishop Ernst of Magdeburg's letter, Halle, December 16, 1511, loc. 8498/1, fol. 108.

90 See Heinrich von Schleinitz's letter to Duke George, [Rochlitz] December 10, 1510, loc. 8949/3, fol. 1 f.; Duke George's letter to Heinrich von Schleinitz at Duke Friedrich the Elder's court, n.d., ibid., fol. 2.

obligated himself vis-à-vis Emperor Maximilian I in 1512 in order to support his position in Magdeburg. Heinrich von Schleinitz, who was once again entrusted with conducting the Albertine negotiations at the archbishop's court, was full of consternation when the Ernestine envoy, Johannes von Staupitz, informed him in October 1512 about the Elector's position: instead of the Albertine Friedrich, Ernst was to take his godson, Ernst of Bavaria, as coadjutor. The Elector absolutely refused to take part in a Diet of the Wettin princes, which Schleinitz wanted to convoke in Naumburg in order to clarify the interests of the dynasty.[91] The Elector's refusal to support George's dynastic church politics meant that a preliminary decision had been taken. Archbishop Ernst did not give way in face of the next unreasonable demand by the Emperor: that he accept Albrecht of Brandenburg. He replied to the Emperor that only a representative of the house of Saxony could guarantee the protection of the archiepiscopal territory, and he reminded the Emperor of the merits of Albrecht the Brave-Hearted; he had in mind the rescue of Maximilian from captivity in Bruges in 1488.[92] But Ernst and George were fighting a losing battle. Without an election by the chapter, Adolf von Anhalt, the coadjutor of Merseburg whom Ernst had sent to Rome, was unable to persuade the pope to settle on Friedrich. Cäsar Pflug, one of George's ablest counselors, was sent to the Imperial court, but was equally unsuccessful.[93] After the death of Archbishop Ernst in August 1513, Dietrich von Werthern sent the news from the Imperial court that both the emperor and the pope favored the Brandenburg solution.[94]

The Magdeburg events ended for Duke George with a bitter disappointment, and its echoes could be heard years later. When Christoph von Taubenheim told his employer in 1518 that Albrecht of Brandenburg was willing, upon his elevation to the cardinalate, to renounce the see of Magdeburg in favor of a son of George, the Albertine refused to believe it.[95] He informed his counselor, with a fundamental emphasis that is astonishing in view of his own endeavors:

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91 See Heinrich von Schleinitz's letter to Duke George, October 5, 1512, loc. 8949/3, fol. 3 f.

92 See Archbishop Ernst's letter to Emperor Maximilian, Halle, March 11, 1513, fol. 8 f.; about Bruges, see Thieme, "Albrecht im Dienste," 6.

93 See Duke George's letter to Cäsar Pflug at the imperial court, Dresden, April 15, 1513, ABKG, fol. 1, 35, n. 1. There, also the report about Adolf of Merseburg's mission.

94 Dr. Dietrich von Werthern's letter to [Hans von] Werthern and Cäsar [Pflug], April 7, 1514, loc. 8954/22, fol. 1.

95 See Christoph von Taubenheim's letter to Duke George, May 25, 1518, ABKG, Vol. 1, 34 f. Taubenheim's reference to confidential informants does not seem very credible. It was possibly an attempt to endear himself to George in order to acquire an estate from the Pforte monastery, which George rejected (see following note).

"[…] if something of the kind were to happen at once, it cannot go well without a burden on consciences. For it is not our position that we acquire ecclesiastical fiefs for money."[96] The reform impetus unexpectedly appears here—the impetus that always ran contrary to dynastic church politics. Was this the expression of a bitter disappointment, or the genuine victory of the idea of reform over a principle of power politics?

Some years later, after the Reformation had broken out, George did in fact use biblical comparisons to attack the princes' politics of providing for their families as a bad state of affairs, through which persons with no real vocation became leaders of the church.[97] This demand for reform was repeated in the so-called *Consilium Georgii* of 1538.[98] It seems that, under pressure from the Reformation, Duke George had come to grasp that the only way to save the old church was through an intensification of reform endeavors, even if this went against the interests of the upper aristocracy.

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96 Duke George's letter to Christoph von Taubenheim, Augsburg, June 4, 1518, ABKG, Vol. 1, 35–37.

97 "It is clear that the reason for all these misgivings, that God has imposed upon us, is the prelates' baleful entrance, for God spoke, 'He who does not go through this door is not righteous […].' Now, it is not the smallest abuse in Christianity, that we laymen of high and low estates disregard this, since we all wish to bring our children, brothers, and friends to episcopal offices. Thus, we do not look for the door, but how we would bring our people in any way, whether below the threshold or over the ceiling […]. And those who have come in that way tend to think that they have earned it and deserve it. So it goes that the sheep follow the shepherds and earn the wrath of God." Duke George's letter to Dr. Otto Pack, Dresden, August 20, 1526, ABKG, Vol. 2, 611–613. The text was intended as a response to a report on reform commissioned at the Diet of Speyer.

98 The *Consilium Georgii*, a list of proposed reforms for the pope from 1538, cannot be ascribed to Duke George with certainty, but it likely came from within the prince's circle. See Cardauns, 107–109; Gess, *Klostervisitationen*, 40.

CHAPTER 8

Bishops and Cathedral Chapters

In almost every instance where the lord of a territory intervened in the ecclesiastical system, the rights of the Ordinaries were affected, for according to canon law it was only the bishop who headed his diocese. As a pastor *in persona Christi*, he was not only a spiritual teacher and preacher; his *potestas ordinis, magisterii et iurisdictionis* included supervision of the clergy (with the exception of the exempt Orders), divine worship, and the religious practices of the laity. If, therefore, there had been no restrictions on the validity of canon law norms in the late Middle Ages, the bishop would not have had to reckon on any outside influence—apart from the long arm of the pope.[1]

This meant that the claim by secular rulers to exercise governance over the church encountered the older rights of the bishops and authorities such as archdeacons and officials who derived their legitimation from the bishop at every step. A confrontation was inevitable. The prospects for territorial government were not at all bad, because structural deficits had clearly weakened the bishops' ability to get their way at the end of the Middle Ages. This was due to the politics of the popes, one of whom used a conscious weakening of the bishops as a weapon in the fight against conciliarism. The attempts by the popes (and by the conciliar party) to win the support of the secular powers took shape in numerous privileges for the princes, which formed the basis of their pre-Reformation church governance. The bestowal on the princes of rights of presentation and the system of papal provisions imposed more and more restrictions on the bishops' ability to deal directly with the clergy. On the other hand, many members of the episcopate in the Empire, who defined themselves first and foremost as (Renaissance) princes, displayed little interest in the spiritual obligations of their office and in the question of church reform. This opened a wide door to the reform rhetoric of the lords of the territories.[2]

It is thus scarcely surprising that the expansion of territorial church governance created a conflict with the bishops. The example of the Bavarian dukes shows in minute detail how the princes, in league with the papacy, succeeded little by little in diminishing the rights of the bishops. Nevertheless, bishops remained authorities who could not be ignored. In Austria, even as late

1 See Hinschius, Vol. 2, 38–42.

2 See Johanek, "Bischof," 69–85; Wolgast, *Hochstift*; Schindling, "Reichskirche"; Brady, "Bishops." See also ch. 3.

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as the Reformation period, attempts at church reform by the princes and by the bishops canceled each other out.[3] Princes almost everywhere attempted to neutralize the episcopal resistance *a priori* by bringing the bishops under their control.[4] Accordingly, bishops were not only (competing) subjects, that is to say, opponents or partners of territorial church politics; they could also become its objects.

1 The Bishop as an Object of Church Governance

During the reign of Duke George, the Albertine territory covered parts of eight dioceses. By far the largest overlapping area was with the diocese of Meissen, which included the core region of the old Mark of Meissen and thus almost two-thirds of the duchy of Saxony. Next, westwards around Leipzig, came the Osterland, which was divided ecclesiastically between the dioceses of Merseburg and Naumburg (the *Amt* of Weissenfels). Only a small stretch of land in the northern part of this region, with the *Ämter* of Delitzsch, Landsberg, and Zörbig, was under the supervision of the archbishop of Magdeburg. An even smaller area on the upper Elbe, encompassing only a few villages upstream from Pirna, belonged to the archdiocese of Prague. The Thuringian part of the territory, to the west of the river Saale, belonged to the archdiocese of Mainz; only the region around Sangerhausen and Freyburg/Unstrut was under the bishop of Halberstadt. Finally, the easternmost outpost of Albertine rule, the exclaves of Sorau and Sagan in Lower Lausatia-Silesia, formally under the supervision of both Wettin branches, were administered ecclesiastically by Meissen (Sorau) and Breslau (Sagan).[5]

When we look at Duke George's relationships to the bishops of the territories under his rule, we must draw a fundamental distinction between the dioceses of Meissen, Merseburg, and Naumburg, which were integrated into the system of the Wettin government, and the other bishops, who could be designated, in the vocabulary of the Albertine chancellery, as "foreign."[6] Viewing bishops as objects of territorial church governance can only be applied to those bishops who resided in Saxon dioceses that had come under the protectorate of the

3 See Rankl, 3–83; Hofmeister, 245–272.

4 See ch. 3.

5 See Blaschke, *Geschichte Sachsens*, 295 (1485 map of Wettin lands); Blaschke/Haupt/Wießner; also the map sketch in Smolinsky, "Albertinisches Sachsen," 8.

6 About the source term "ausländisch," see p. 34, n. 47.

Wettins in the course of the late Middle Ages;[7] bishops outside the system of the Wettin government remained independent imperial princes. The number of external bishops was restricted by the fact that Magdeburg and Halberstadt were joined in a personal union throughout George's reign; from 1514 onwards, under Albrecht of Brandenburg, this personal union also included Mainz.

The protectorate over the three Saxon dioceses was divided between the two Wettin lines in the Treaty of Leipzig in 1485. The Ernestines received Naumburg, and the Albertines Merseburg; both lines were to jointly exercise the protectorate over the diocese of Meissen.[8] In practice, the Albertines came to have the dominant influence in Meissen, for the simple reason that the cathedral city and the largest part of the diocese lay in their territory. Indeed, Duke George claimed the exclusive protectorate over the diocese of Meissen, and was able to enforce this in practice.[9]

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7 See ch. 3, section 2.

8 With the partition, the protectorate was so defined, "Since the revered and estimable bishoprics and domains of Meissen, Merseburg and Numburg with their castles, cities and possessions are also located in and by ours and our dear brother's lands and principalities, and have been in the protection, stewardship and administration of those highborn princes our late dear parents and ancestors in blessed memory as well as in ours." Elector Ernst of Saxon's document, Leipzig, August 26, 1485, O.U., no. 8578. See also Stievermann, *Landesherrschaft*, 19.

9 While the Ernestines fundamentally insisted on the wording of the Leipzig Partition, they had difficulty exercising their rights, for example, regarding military succession. See Lobeck, 25; Goerlitz, 259. Their role in the dispute between Duke George and Johann VI was revealing, insofar as it directly involved the question of the Wettins' protectorate over Meissen. Here, the Ernestines were involved only as (potential) mediators, and not as interested parties (see below, p. 209). George also asserted this claim at the imperial level. When the subsidies to the empire were being negotiated at the Diet of Nuremberg in 1522–1523, the duke claimed to speak for the bishops of Merseburg and Meissen "with the same right as our cousins and uncles in Saxony and Brandenburg who negotiate subsidies for the bishops of Naumburgk, Brandenburg, and Havelburgk, etc." In no uncertain terms, he advised his representative to the diet to assert "strongly" his position against any assumptions "as if the bishop of Meissen should not belong to us alone." (Duke George's letter to Dr. Dietrich von Werthern, Dresden, January 25, 1523, ABKG, Vol. 1, 449 f.). The curia accepted Duke George's demand. In 1522, when Bishop Johann VII was called to Rome by the pope, Hadrian VI offered Duke George alone the stewardship of the bishopric during the bishop's absence (see Pope Hadrian VI's breve to Duke George, Rome, September 8, 1522, CDS, II, Vol. 3, 340 f.). This shows that Duke George de facto successfully achieved an exclusive protectorate over the bishopric of Meissen, although this contradicted the specifications of the Leipzig Partition. Only after his death and with the establishment of the Reformation did the Ernestines try again to reactivate their titular rights to Meissen, now focusing on the temporal domains of a bishopric likely to be secularized. Significantly, they chose a moment of supposed Albertine weakness, namely the beginning

1.1 *The Power Struggle with Johann VI of Meissen*

At the beginning of Duke George's reign, the integration of the Saxon bishops into the system of Wettin government had long been a reality.[10] Not only did George himself act on the basis of this understanding;[11] it also influenced his perception of other regions of the Empire. For example, when a member of the University of Leipzig demanded money from the bishop of Cammin, George made contact with the duke of Pomerania, "because the diocese of Cammin lies in Your Grace's principality."[12] Nevertheless, a grave confrontation arose in the first years of the sixteenth century. It remains somewhat unclear why Bishop Johann VI of Meissen, who had behaved loyally for fifteen years, suddenly offered resistance to the Wettin authority. His interest in the administration, the finances, and the legal titles of the diocesan territory is well known, as is his extreme stubbornness. Both these factors may have made it seem attractive to Johann to throw off the Wettin territorial rule and to reestablish the autonomy of the diocesan territory as an imperial Estate. It is possible that the intensification of Wettin church politics by Duke George may also have played a role, since he increased the pressure on bishops during these years.[13] At any rate, it is worth looking more closely at this final trial of strength for, like a geological vertical section, a close examination of the conflict between Johann and George exposes the levels, fault lines, and solution strategies of the Wettin governance of the dioceses—and takes a surprising turn at the end.[14]

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years of young Duke Moritz's reign. The attempt nearly led to war between Wettin family lines, which became known as the Wurzen feud of 1542. The reason for the escalation was the Ernestines' demand that the bishop should deliver a portion of the Turkish tax to Wittenberg as a sign that he would accept the shared protectorate. The bishop's reluctance was met with the military occupation of Wurzen by Ernestine forces, which in turn caused Moritz to take up arms. See Groß, *Sachsen*, 55 f.; Herrmann, 59 f.

10 See ch. 3, section 2.

11 See e.g. the mandate of Duke George's governors to Bishop Johann VI of Meissen and Bishop Thilo of Merseburg, Dresden, November 16, 1495, cop. 105, fol. 252v. It was Duke George and not the bishop of Merseburg who answered the emperor's order that the bishop pay an amount to the Imperial Chamber Court as well as the order regarding the visit to the imperial diet. See Duke George's letter to Bishop Thilo of Merseburg, [Dresden] March 27, 1509, Cop. 111, fol. 4v.

12 Duke George's letter to Duke Bogislaw X of Pomerania, Dresden, February 12, 1509, cop. 112, fol. 262v–263r.

13 Consider here the land law drafts 1498 and 1502 as well as the 1499 gravamina against the bishops. See below, section 2, and ch. 12, section 4.

14 About the dispute between Johann and George, see the account by Zieschang, 83–89, 96–103; as well as Goerlitz, 261, 276; Lobeck, 34 f.; ABKG, Vol. 1, LXV f.—The very negative assessment of Johann by Felician Gess and others stands in contrast to the uncritical

A dense exchange of letters in the autumn of 1502 marked the outbreak of the conflict. It seems to have begun with a complaint by the bishop about a letter sent by the duke on September 1, 1502, in which he had supported a citizen of Pirna in his claim for money against a bailiff of the bishop. Johann VI refused to accept that George had received this complaint before his own court, instead of sending the plaintiff to the bishop. George had, in fact, acted in his letter as a judicial authority superior to the bishop, by promising the plaintiff "due help," that is to say, compulsory enforcement by legal means, if his demand was not met.[15] The duke refused to accept the bishop's objection. He replied that Johann should give the plaintiff his due, instead of calling into question his "princely authority" and the resultant obligation to maintain the rule of law.[16] George's undiplomatic rhetoric thus returned the case to the fundamental question: was not the bishop subject to Wettin territorial rule, and subject to *his* supreme jurisdiction?

Johann VI was not (or was no longer) willing to agree with this principle. He called the ducal rights into question on several fronts in the following weeks, and prevented the collection of Wettin taxes in some villages that belonged to the cathedral chapter and the cathedral vicars in Meissen. Shortly afterwards, he refused to render George services that touched the most vital interests of the prince: the supply of soldiers for the army. On November 16, Duke George requested twenty armed knights "in order to hunt down some who are obnoxious to His Grace and are harming the land." The bishop initially kept the knights back under various pretexts, and then disputed the basic principle that George had the right to demand military services of him.[17]

This escalated the conflict. Duke George now treated the bishop as a disobedient vassal, and reacted with the most extreme administrative sanction that could be applied to a cleric: he blocked the bishop's temporalities. Balthasar von Grauschwitz, *Amtmann* in Dresden, entered the diocesan territory in order "to give a command to the subjects of the bishop of Meissen" by a ducal mandate "and to forbid them to give him tithes, nor to serve him or obey him until

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appraisal by Julius Leopold Pasig. See Pasig.—Johann's accomplishments in administering his temporal domains is undisputed. See Schirmer, "Verwaltungsbericht."

15 Duke George's letter to Bishop Johann VI of Meissen, [Dresden] September 1, 1502, cop. 108, fol. 48r.

16 Duke George's letter to Bishop VI of Meissen [Dresden, after September 1 and prior to November 11, 1502], loc. 8985/4, fol. 2–3.

17 Duke George's letter to Bishop Johann VI of Meissen, [Dresden] November 16, 1502, cop. 108, fol. 100v. See Bishop Johann VI of Meissen's letter to Duke George, Stolpen, November 18 and 20, 1502, loc. 8985/4, fol. 8, 6.

further […] orders." In the case of resistance, the *Amtmann* was to employ "serious measures to bring" the subjects "to obey."[18] The unimpeded action of the ducal *Amtmann* in the diocesan territory showed everyone how far the arm of the Wettin government could reach.

Rhetoric on both sides now endeavored to stigmatize the actions of the other as infringements of ancient convention. The bishop complained that the suspension of temporalities was "against spiritual freedom, papal and imperial privileges, and the edicts of Your Grace's ancestors," especially because "towns and villages" of the diocesan territory were subject to him "with all princely rights and authority."[19] The duke replied that when he demanded military services from the bishop, he was only asking for what "our ancestors always willingly received from the previous bishops in Meissen." Like his predecessors, George too acted in order "to […] protect the praiseworthy diocesan territory in Meissen and to promote its best interests." He described the suspension of temporalities as "the mildest way"[20] of reacting to Johann's "stubbornness, obstinacy, and contempt both for the commands we are competent to issue and for justice."[21]

The high-flying rhetoric cannot conceal the true nature of the conflict: an open power struggle had broken out between the bishop and the prince. The status of the bishop of Meissen would inevitably be decided by the coordinates of pre-modern territorial government: jurisdiction, military service, and taxation. The alternatives were either a vassal, subject to the Wettin territorial state, or an independent Estate equal in rank to the prince. The antithesis of ecclesiastical and secular sphere moved completely into the background. Both George and Johann viewed the conflict as secular—it was a question of the subordination of the bishop to the Wettin territorial government. The bishop, who had at first behaved boldly, soon moved onto the defensive when George took up his boxing gloves. Johann repeatedly offered negotiations to reach an agreement, but George announced at the end of November that he would maintain the confrontation "until such injustice has been cleared away from

18 Duke George's letter to the bailiff at Dresden, November 24, 1502, ABKG, Vol. 1, LXVI, n. 1.

19 Bishop Johann VI of Meissen's letter to Duke George, Stolpen, November 28, 1502, loc. 8985/4, fol. 7.

20 Duke George's letter to Bishop Johann VI of Meissen, Dresden, November 30, 1502, ibid., fol. 1, 4.

21 Duke George's letter to Bishop Johann VI of Meissen [Dresden, after November 28, 1502], ibid., fol. 5.

us and our mood has changed to mildness."[22] Eight years were to pass before this was the case.

The conflict over military services was the first to intensify. Once again, in July 1503, Bishop Johann refused the duke's demands for cavalry, and sent no auxiliary troops to the army with which Duke Heinrich set out for Friesland in the spring of 1504.[23] While George saw the supply of military services as a part of his traditional rights, the bishop regarded himself as obliged to render services only to the Emperor, and he insisted on the voluntary character of every armed support. This meant that both sides took maximal positions with regard to the authoritative agreement of 1436—the power struggle was in full swing.[24] The conflict posed an increasing threat to military security. The Bohemian nobleman Georg von Guttenstein, who was feuding with Duke George, exploited the tensions for his own conduct of war. He attacked the episcopal territory to the east of the Elbe in the direction of Saxony. George urgently demanded that the bishop defend at least his own fortresses at Stolpen and Bischofswerda, and collaborate militarily with him,[25] but Johann was not able to make good, in the military sphere, his claim to autonomous rule, and he withdrew to Wurzen, a safer location. After the unprotected Bischofswerda was plundered in November 1504 and "in this attack most of the citizens fit for military service" had been "taken captive and carried off," George himself put a garrison in the town in order "thereby to preempt further damage that might be done to the diocesan territory," but also "so that our land and people [...] may be the more secure and that no further damage may be done to the villages through the mischief of the said bishop."[26] Johann reacted with

22 Duke George's letter to Bishop Johann VI of Meissen, Dresden, November 30, 1502, ibid., fol. 1, 4.

23 See Bishop Johann VI of Meissen's letter to Duke George, Stolpen, July 26, 1503, loc. 8985/5, fol. 1; Duke George's letter to Bishop Johann VI of Meissen, Dresden, April 22, 1504, ibid., fol. 3.

24 See the letter from id. to id., Dresden, August 21, 1504, ibid.; Bishop Johann VI of Meissen's letter to Duke George, Stolpen, August 22, 1504, ibid., fol. 6.—Elector Friedrich's confirmation of privileges of 1436 for the Hochstift stated with regard to taxes and military succession, that bishop and cathedral chapter should be burdened "under no circumstances further than our gentry in the [Wettin] territory of Meissen." (Elector Friedrich I's document, Meissen, October 30, 1436, CDS, II, vol. 3, 56 f.). See also Zieschang, 82–86.

25 See Duke George's letter to Bishop Johann VI of Meissen, [Dresden] April 10, 1503, cop. 108, fol. 242r; Letter from id. to id., Dresden, March 29, 1504, cop. 109, fol.47v.—About the Guttenstein feud, see Senff, 1–30.

26 Duke George's letter to his advisors at the Wurzen court, December 17, 1504, loc. 8985/23, fol. 1.—Machatschek dates the attack on Bischofswerda as November 25, 1504. See Machatschek, 583.

fury, especially because George also appointed an *Amtmann* and confiscated the bishops' incomes in the town and the *Amt* for several years.[27]

Territorial church politics did not remain unaffected. When Cardinal Peraudi visited the sanctuary of Benno at the beginning of 1503, Duke George presented the legate with a catalog of church-political demands clearly at the expense of the episcopal authority. The unresolved conflict with Johann VI was visible between the lines; for example, the prince asked for the right to arrest clerics who had committed crimes. He also took into account an obstinate resistance on the part of Johann, and requested the pope to threaten in advance anyone who might oppose the measure with excommunication and dismissal from office—and he explicitly included the bishop here.[28]

Tensions in the church governance were also increasing. In February 1503, George confronted the bishop with the claims of the chaplain Martern Pirstyn, who asserted that Johann had refused for eight years to pay him the agreed pension for an altar in Stolpen.[29] Two months later, George demanded that Johann resolve the conflict about a collation in Sorau in keeping with the duke's wishes. At the same time, he disavowed the bishop's authority by sending a corresponding instruction to the church official in charge in Bautzen.[30] But the greatest insult lay in George's demand to retract the prohibition on the Leipzig Dominicans from receiving alms in Wurzen. Even in his own diocesan territory, Johann saw his authority under attack in a matter that touched his right of ecclesiastical supervision. George's letter was not a polite request: in the typical tone of reform rhetoric, he reproached the bishop for his conduct, a bad example that did not promote religion in the territory. He also threatened to widen a legal case brought by an exempt Order against the bishop.[31] George drove Johann into a corner on two fronts simultaneously: he respected neither the secular authority of the bishop in the diocesan territory nor his ecclesiastical authority as spiritual head of the diocese. As the requests made of Peraudi

27 The occupation lasted from November 30, 1504 until April 18, 1507. See Schirmer, "Verwaltungsbericht," 96.

28 "Likewise, any bishop or priest who acts against this privilege will be excommunicated and lose their benefice and office." List of Duke George's demands to the pope in an oral presentation to Cardinal Legate Raimund Peraudi [early January 1503], Gess, *Klostervisitationen*, 46 f., likewise: ABKG, Vol. 1, XXXIII, n. 1). About the context, see ch. 11, section 2.

29 See Duke George's letter to Bishop Johann VI of Meissen, [Dresden] February 18, 1503, cop. 108, fol. 192r.

30 See Duke George's letter to Bishop Johann VI of Meissen and to the official of the provost at Bautzen, [Dresden] April 21, 1503, ibid., fol. 252v, 253r.

31 See Duke George's letter to Bishop Johann VI of Meissen, [Dresden] March 14, 1503, ibid., fol. 214r (summary: CDS, II, Vol. 10, 191 f.).

had indicated, the conflict moved increasingly onto the ecclesiastical level—and the prince went on the offensive.

The confrontation reached its high point in 1508 and 1509. In addition to the matters in dispute, the climate became more and more toxic. When a papal delegation court sat in Leipzig under the provost of St. Thomas to try a dispute between Johann and the Meissen chapter, the bishop's procurator declared that Duke George had occupied Bischofswerda illegally, stirred up the cathedral chapter against the bishop, and was now going so far as to put political pressure on the delegation court. George took these statements as a personal offense, and demanded an explanation from Johann.[32] When the bishop refused to give an answer to the envoys of the prince, whose subaltern status was an insult in itself,[33] George abandoned all the formulae of courtesy and issued an ultimatum to the "Lord of Meissen" to respond to the accusations with a "yes or no."[34] The Lord Marshal, who was on a journey, feared an even more violent reaction, and appealed to his prince not to undertake any further steps before he returned to Dresden. The bishop backed down and gave an assurance that the procurator had not intended "to offend" George with his assertions.[35]

Essentially, however, Johann remained on a confrontational course. Although the Saxon bishops had long accepted the Wettin right of coinage, he reacted strongly when a routine letter from George about coinage regulations was also sent to Bischofswerda and Stolpen. His letter to these towns emphasized once again the bishop's territorial lordship and forbade the town councilors, under pain of both secular and ecclesiastical penalties, to submit to the jurisdiction of Duke George.[36]

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32 See the report about Duke George's proposal to Bishop Johann VI of Meissen, Wurzen [shortly after January 31, 1508], loc. 8985/26, fol. 4–6.

33 Instead of sending court advisors and officials as usual, George assigned two subaltern servants, Wilhelm Crae (Krähe), an escort master from Leipzig and the lic. utr. iur. Valentin Smydt. For his part, the bishop delayed the envoys for three weeks with evasive answers. See the envoys' reports, ibid., fol. 6–9. See also Zieschang, 98 f.

34 Duke George's letter to Bishop Johann VI of Meissen, Leipzig, March 3, 1508, loc. 8985/26, fol. 3r, edited: Zieschang, 99, n. 3.

35 See Heinrich von Schleinitz's letter to Duke George, March 10, 1508, loc. 8985/26, fol. 1; Bishop Johann VI of Meissen's letter to Duke George, Wurzen, March 4, 1508, ibid., fol. 3r–v.

36 See Duke George's letter to the citizens of Stolpen, Bischofswerda and "Willsdorf," Dresden, November 15, 1508, cop. 110, fol. 28v–29r; Bishop Johann VI of Meissen's letter to the mayor and city council at Stolpen and Bischofswerda, Wurzen, December 23, 1508, CDS, II, Vol. 3, 323.

Duke George made it clear that in his eyes, the ecclesiastical authority of the bishop had been called into question. He refused to hand over the cleric Georg von der Kere, who was accused of having murdered one of George's court servants, to the bishop's jurisdiction. This was a unique breach of the *privilegium fori* on George's part, a calculated provocation. Johann reacted with unusual harshness. He imposed the interdict on the city of Dresden, where Kere was in prison. Such an imposition of ecclesiastical penalties on the prince had not occurred in Saxony since the time of Heinrich the Illustrious (1230–1288). But not even the enforced cessation of the services in his chapel made George yield.[37]

Under these circumstances, it is scarcely surprising that attempts to mediate between the disputing parties made slow progress. A first venture in 1506 by Johann, who envisaged the Ernestines as arbitrators, came to nothing.[38] In the autumn of 1508, Bishop Thilo of Merseburg offered his services as a mediator, which posed a threat to Saxony. George reluctantly accepted this offer of arbitration,[39] but then presented a long list of Gravamina against Johann. The orientation of his demands is noteworthy. The duke not only wanted the status of the bishop as his subject, obliged to render services to the Wettins, set down in writing; he added further points in his own hand to the chancellery's draft of the Gravamina: "*Item, the reformation of the monasteries, item, about consecrations, item, about the indult*, punishment of the clergy, demolition of the castle, […] *item, the ban imposed on me:* the interdict in Dresden."[40] Suddenly, the whole palette of church politics was present; questions were raised that had long been among the goals of territorial church reform, such as monastic reform and jurisdiction over the clergy. Duke George thus made the clarification of the church-political orientation of the bishop an essential aspect of any future agreement. In this way, the arbitration would not only confirm the

37 The governors at Dresden's letter to Dr. Nikolaus von Heinitz, Dresden, December 18, 1508, cop. 110, fol. 274v; Duke George's letter to Margrave Joachim I of Brandenburg, Meissen, December 26, 1508, cop. 113, fol. 16; Duke George's letter to the governors at Dresden, Schellenberg, September 19, 1509, cop. 110, fol. 231.—See also ch. 9, section 3.—About the excommunication of Heinrich the Illustrious, see Schlesinger, *Kirchengeschichte*, Vol. 1, 80–105.

38 See Duke George's proposal to Elector Friedrich and Duke Johann the Elder, Leipzig, March 11, 1506, loc. 8185/8, fol. 25v–27r.

39 See Duke George's letter to Bishop Thilo of Merseburg, Dresden, October 16, 1508, cop. 111, fol. 6.

40 Duke George's article of complaint against Bishop Johann VI of Meissen [October 1508], loc. 8985/25, fol. 9–11, here fol. 10v. The italicized passage is from George's pen, while the others were additions by someone from the chancellery. See also Zieschang, 101 f., there under the date of 1511.

secular subordination of the bishop of Meissen under the Wettin rule in the territory; Johann would also commit himself to cooperate within the framework of territorial reform politics.[41]

Initially, Johann balked at agreeing to the catalog of the prince's demands, and the negotiations broke down; however, he came under increasing pressure, since George made every effort to isolate the bishop. In the spring of 1510, George definitively blocked the attempts at mediation by the Ernestines, on which the bishop had pinned his hopes.[42] The cathedral chapter in Meissen, the most important ecclesiastical authority alongside the bishop, was on the duke's side throughout the entire conflict.[43] George now put pressure on those who were closest to the bishop. In 1509, he several times summoned the *Amtmann* of Stolpen, where the bishop had his residence, and required him to influence his master in keeping with the duke's ideas. George ensured the loyalty of the *Amtmann* by reminding Georg von der Pforten of his personal obligation as a feudatory of the Wettins. It is clear that in the conflict of loyalties between his master and his feudal lord, Pforten (after initial reluctance) ultimately decided to take the side of George, for he was appointed an Albertine *Amtmann* shortly afterwards, doubtless as a reward for his services.[44] Johann's ecclesiastical office bearers also felt the long arm of the duke. The Official General, Christoph von Betzschitz, who resided in Stolpen, received a particularly harsh letter from Dresden in June 1509. As had so often been the case, the prince demanded the removal of a spiritual ban, but now cleverly linked the good behavior of the Official with the tense relationship to the bishop: "We ask you to remove this interdict [...] and not to be so quick with your unjustified bans, and to bear in mind how things stood in the past between the bishop and ourselves, and not to make them worse through such an unchristian action."[45] George could thus employ the tense relationship with Bishop Johann as a means of pressure in order to compel the episcopal administration

41 See also below, section 2.

42 See the proposal by Elector Friedrich's counselors to Duke George, March 12, 1510, loc. 10511/2, fol. 288–293.

43 See below, p. 230 f.

44 See Duke George's letter to Georg von der Pforten, bailiff at Stolpen, from January 2 and 15, and May 3, 1509, cop. 110, fol. 50v, 57, 134r. Pforten is first mentioned as bailiff of Kriebstein on June 21. See ibid., fol. 177r. Later, he served as bailiff at Meissen and Rochlitz.

45 Duke George's letter to the Official General at Stolpen, Dresden, June 5, 1509, ibid., fol. 158v.

to accommodate his wishes in questions of church politics. Betzschitz, at any rate, hastened to comply with George's demands.[46]

Finally, when Bishop Johann raised his eyes to look outside his own territory, he could not fail to see the futility of his struggle for autonomy. In the late fourteenth century, the kings of Bohemia had been the most vigorous competitors of the Wettins in terms of influence on the bishopric of Meissen, but now they ignored Johann's endeavors. When King Wladislaw II invited several bishops to the coronation ceremony of his son Ludwig in Prague at the beginning of 1509, it was perfectly natural for him to write to Duke George with regard to the participation of the bishop of Meissen. George passed the royal request as a ducal command to his "subject" Johann, using the imperative formula: "You are to comply with this."[47]

It was a thoroughly secular event, on the bishop's part, that broke the last resistance. The feud with the Lausatian knight Jakob von Köckeritz exposed the military impotence of the bishop and unmasked the illusory character of his dream of ruling a territory of his own. From his seat at Elsterwerda, Köckeritz had resumed his old feud against the bishop in 1509 and had attacked the parish priests of Elsterwerda and Ortrand in lieu of Johann. On May 8, the Official in Stolpen appeared before Duke George to ask him, in the bishop's name, for protection. George replied that he was ready to protect all those "subjects, allies, and noblemen under my jurisdiction" who obeyed him or, at least, "if they have done something against us [...], remove this in a fitting manner." Accordingly, he wanted "to protect this same ally of ours"—that is to say, the bishop—"and to give evidence of such punishment of those who have acted against him that everyone will note our fairness."[48] The duke thereby took a first step in the direction of the bishop; at the same time, however, he made it clear that this was to be understood as an advance upon the overdue apology on the part of the bishop. The chartularies of the Privy Council show that Köckeritz was, in fact, threatened and exhorted the very next day to put a stop to his feud against the bishop, whom George called his "obedient subject." The harassed parish priests were to be given back their personal liberty (Elsterwerda) or their

46 Letter from Christoph von Betzschitz, Official General at Stolpen, to Duke George, Stolpen, June 6, 1509, loc. 8983/11, fol. 16.

47 Duke George's letter to Bishop Johann VI of Meissen, Dresden, February 126, 1509, cop. 111, fol. 8v.

48 Duke George's answer to an emissary from Bishop Johann VI of Meissen, May 8, 1509, loc. 8985/26, fol. 13, here, the quote is from Zieschang, 100.—Because Zieschang was unaware of the following document, he misinterpreted George's answer as a rejection.

possessions (Ortrand) immediately, since they were subjects of the duke.[49] This is further evidence that George regarded the lower clergy as part of the society under his rule. When Köckeritz refused to yield, the duke sent two officials to take his seat in Elsterwerda by force.[50]

After the danger was averted, the bishop once again refused to give in. George reacted all the more furiously when the same Official asked him anew for protection in the autumn, because Köckeritz was once again trying his luck. His counselors were obliged to persuade the prince to tone down the acerbity of his response.[51] In substance, however, he remained firm: as long as the bishop refused to apologize, he would not get protection. The rights of the prince vis-à-vis the bishop were the price that had to be paid for protection. In George's words, "the protection" was "pending upon the justice due to us," which the bishop, "against ancient practice [...]" had "withheld."[52]

It was only in the spring of 1511 that Johann was willing to accept (once more) this ancient principle. On Holy Saturday, the bishop and the duke met on the castle hill in Meissen in order to celebrate the Easter feast together in the ancient sacred and secular center of Saxony. Holy Saturday was the ideal day to put an end to the longstanding conflict, since it was the traditional day of reconciliation among Christians; however, an open conflict in the community called into question the worthy reception of the Easter sacrament. This Saxon "investiture conflict" also ended with a "way to Canossa," but in this case it was the bishop who went to the prince's castle and asked in a "first-person address"[53] in the presence of George that the conflict cease. Johann's offer of

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49 Duke George's letter to Georg von Köckeritz, Dresden, May 9, 1509, cop. 110, fol. 138.—Georg von Köckeritz belonged to the Promnitz family line and was referred to as a ducal advisor.

50 See Duke George's letter to Christoph Ziegler, bailiff at Meissen, and Hans von Polenz, bailiff at Dresden, [Dresden] June 29, 1509, ibid., fol. 185v. See also ibid., fol. 144, 178r.

51 See Duke George's answer to Bishop Johann VI of Meissen's proposal, November 5, 1509, loc. 8985/26, fol. 20–23; see Zieschang, 100 f.

52 Duke George's answer to Bishop Johann VI of Meissen's proposal, October 12, 1509, ibid., fol. 17–20, here, the quote is from Zieschang, 100, n. 1.—It was not until a week after the Leipzig arbitrament of 1511 that George reasserted his protectorate over the Hochstift. In a missive personally drafted by the duke, the knights leading the feud are ordered to end the conflict and to let the Duke negotiate their dispute with the bishop. See Duke George's letter to Jakob von Köckeritz and Caspar von Maltitz, Leipzig, November 21, 1511, cop. 116, fol. 185r.

53 Arbitrament by Dietrich von Schleinitz the Elder, Hermann von Pack, Dr. Johann Hennig and Dr. Nikolaus von Heinitz, Leipzig, November 13, 1511, O.U., Nr. 9920 (Regest: CDS, II, Vol. 3, 325 f.).

peace contained two points. He promised that in all disputed questions he would "take the side of Your Grace [Duke George], as my nearest predecessors did," and accepted the legitimacy of George's interim refusal to give him protection. For the future, he asked the prince to protect him anew: "May Your Grace not withhold protection from me and my diocesan territory, but rather be my gracious Lord." He apologized for the words of his procurator that had so enraged George in 1508: "This was not done with the intention and disposition to injure Your Grace. [...] I ask therefore that Your Grace may accept this apology from me and be my gracious Lord."[54]

It is clear that the bishop's apology was the outcome of negotiations between the parties. The text is found in a Dresden dossier under the eloquent title: "Agreement between His Grace Duke George and the bishop of Meissen."[55] A draft of the text in the same dossier even indicates that the apology was drafted in its totality in the prince's chancellery and that it was then merely dictated to the bishop.[56] At any rate, George was able to direct the negotiations for a settlement entirely in his own favor. Two counselors from each side were to "listen to" the disputed points, "and in accordance with their decision, we shall let it stand unaltered, in complete agreement." George was able to prescribe that Johann appoint two of the cathedral canons of Meissen—who were by definition Duke George's partisans—as the bishop's representatives.[57] This is the final proof that Johann was in effect capitulating when he went to the Albrechtsburg.

As could be expected under the circumstances, the concluding negotiations for a settlement confirmed the duke's victory. The arbitration ruling corresponded on almost every point with his Gravamina of 1508. Only the question of supplying troops to the duke caused delays, because Bishop Johann was unwilling to accept the first arbitration ruling of June 1511.[58] This is why it

54 Bishop Johann VI's apology to Duke George, Meissen, April 19, 1511, loc. 8985/26, fol. 23v, edited: Zieschang, 101, n. 1.

55 Bishop Johann VI's apology to Duke George, Meissen, April 19, 1511, loc. 8985/26, fol. 23v.

56 See loc. 8985/26, fol. 25r.

57 "[...] for which Your Excellency [Bishop Johann] has accepted to send two [canons] of your chapter." Duke George's letter to Bishop Johann VI of Meissen, Dresden, May 17, 1511, loc. 8985/26, fol. 24r. George's letter reaffirms that "we reached agreement with Your Excellency on the recent Easter eve."

58 The first arbitration proscribed that "His Excellency of Meissen and his temporal domains should, in terms of military support, belong to the territorial estates [of the Wettins]." Arbitrament by Lord Marshal Heinrich von Schleinitz, Dietrich von Schleinitz the Elder, Eustachius von Leisnig and Dr. Johannes Hennig [Meissen, ca. June 12, 1511], loc. 8985/6, fol. 10–14, here 13v (in Zieschang, 86 f. incorrectly indicated as George's list of demands.)—

was not before November that a final line could be drawn under the conflict in Leipzig. The secular position of the bishop was once again defined as the Wettin princely government wished: the bishop was to ensure "the supply of troops and other matters that His Grace of Meissen shall owe to His Grace Duke George, as His Grace the Prince shall judge fitting, to be observed in virtue of the protection" in the same way as "the most recent bishops in Meissen did and commanded." The Wettins were once again to represent the bishop vis-à-vis the empire. This meant that the bishop's status as a member of the Imperial Diet was replaced *de facto* by the status of one subject to the jurisdiction of the duke. Finally, George's claim to the exclusive protectorate of the Albertines was strengthened by the fact that the diplomatic services that the bishop had undertaken for the Ernestines were criticized. The renewed mediatization of the bishop of Meissner became symbolically tangible through the obligation to finish building the episcopal castle on the castle hill in Meissen.[59] This meant not only a devalorization of the bishop's independent residences in Stolpen and Wurzen, but also subordination under the Wettin princes. Since George understood the entire castle hill to be the seat of his power, the bishop was symbolically assigned the role of a vassal who lived at the court of his lord.[60]

While the *status quo ante* was confirmed in the question of secular relationships, the following passages of the arbitration ruling showed the way ahead for territorial church politics. Duke George succeeded in wresting out of a conflict that he himself had not sought—the conflict over the secular position of the bishop—a contractual obligation on the part of the bishop to follow church-political directives of the prince. In addition to concessions by Johann on concrete disputed questions, there were some fundamentally important concessions. These included the long-disputed visitation and reform of female religious houses with the participation of the prince's counselors, and the restriction of the ecclesiastical court system to strictly ecclesiastical cases.[61] This was the first time that George had been able to impose on a Saxon bishop a contractual obligation to church reform. George's vision of cooperation with

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However, Bishop Johann was only prepared to accept the general formula of the Easter apology. As chairman, the bishop of Naumburg solved the problem during negotiations in Leipzig. He advised George to accept the Easter apology in general with stipulations for military support to follow the norms of his forefathers. In any case, according to the Bishop of Naumburg, if the bishop of Meissen should refuse again to provide troops to the duke, the duke could always enforce his demands based on his position of authoritative power. See Zieschang, 87 f.

59 Arbitrament, 1511 (like n. 53).

60 See also below, section 4.

61 See Arbitrament, 1511 (like n. 53).

the bishops in church reform, under the control of the prince, had thereby become a reality.

1.2 *Wettin Influence on the Nominations of Bishops*

The successful mediatization of the Saxon bishoprics had already found expression in the fifteenth century in the fact that the Wettins no longer displayed any interest in installing members of their own family as bishops, concentrating instead on the neighboring archdioceses of Magdeburg and Mainz.[62] Nevertheless, the Wettins often exercised a decisive influence on the nominations to "their" Saxon dioceses.[63] Since they could not make a direct nomination, they were dependent on influencing the electoral decision of the cathedral chapter if they were to enforce their interests; their influence in Meissen was traditionally strong.[64]

After the protracted conflict with Johann VI, Duke George had good reason to pay attention to the question of the succession in Meissen, especially since the agreement in 1511 did not put an end to all the tensions.[65] This matter was so important in George's eyes that he sought backing from the curia. Via Cardinal Cajetan, he requested Pope Julius II to confirm the electoral right of the chapter, and to not, under any circumstances, grant Johann the appointment of a coadjutor. A brief of Leo X, who had in the meantime been elected pope, granted this wish in the spring of 1513.[66] George's actions reveal the

62 See ch. 7, section 3.

63 For example, when the Ernestines supported the Wittelsbacher Bishop Philipp of Freising as candidate for the see of Naumburg in 1517, See Höss, "Problematik" 357.

64 See below, section 3.

65 Thus, in 1515 the dispute broke out once again about the patronage rights over the provostship of the Műhlberg convent, which had been previously glossed over in 1511 with an ambiguous compromise. See ABKG, Vol. 1, LI.

66 "*Quare quod alteris litteris ab eodem praedecessore nostro suppliciter postulas, ut ne quid novetur quod ad Misnensem ecclesiam pertineat, neve a vetere consuetudine ejus civitatis, et a jure per capitulum antistitis eligendi recedatur; praesentique episcopo, si contra fas moremque majorum, successorem sibi a S. Sede coadjutoremque concedi postulaverit, ut ne concedatur; nos hac tota de re te animo soluto et pacato esse volumus, nihilque omnino a nobis iniquae novitatis expectare*." Pope Leo X's breve to Duke George, Rome, March 31, 1513, A. S. V., Arm. XLIV, Vol. 5, fol. 55v–56r, older edition: Sadoletus, 3–5. See also Hergenröther, Vol. 1, 112.—However, there is no evidence of a plan by Johann VI, with help from the curia, to push through a coadjutor in opposition to the cathedral chapter. Indeed, George's concerns were not totally unfounded, since Caspar von Salhausen, a nephew of Johann's, was a member of the cathedral chapter and thus a potential successor. In 1506, there were already tensions between him and a majority of the chapter, because he was considered a partisan of Bishop Johann. See Dr. Nikolaus von Heinitz's

balance of power in Meissen: if a regular election by the chapter took place, the Wettin prince could be sure that a candidate who was acceptable to him would receive the bishopric. George's expectations were confirmed in the spring of 1518. When the chapter proceeded to the election, the two candidates with the best prospects were counselors of the prince. Johannes von Schleinitz, who had been George's procurator in Rome in 1509/10, received the most votes, followed by Nikolaus von Heinitz, a former chancellor and close confidant of George. Although Caspar von Salhausen, the nephew of Johann VI, had been a member of the chapter for many years, his colleagues showed no confidence in him.[67]

The newly elected bishop began to enjoy the support of the prince immediately. Duke George not only strongly urged the curia to confirm who had been elected bishop of "*ecclesie nostre Misnensis*,"[68] he also ensured, by means of a guarantee to the Fuggers, that Johann's procurator would be given a credit from the Roman branch of the Fugger bank to pay the annates that were due.[69] Giulio de Medici, the vice-chancellor, reported to the consistory the results of the informative process about the election, the candidate, and the church of Meissen, which he described (in agreement with George) as "*in marchionatu Misnensi ducibus Saxoniae subjecto*."[70] The consistory followed his positive vote on July 5, 1518 and confirmed Johannes von Schleinitz as the new bishop. There is a striking addition in the minutes of the consistory: despite the incompatibility in canon law, Johann VII was allowed to retain the dignity of provost of the collegiate church of Innichen in Tirol alongside the office of the bishop.[71]

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letter to Duke George, Meissen, May 9, and August 13, 1506, loc. 8985/24, unfol.; loc. 8994/9, fol. 24.

67 See the minutes of the episcopal election of Johann VII, Meissen, April 27, 1518, CDS, II, Vol. 3, 336 f.

68 Duke George's letter to Cardinal Giulio de Medici, Augsburg, May 20. 1518, A. S. V., Archivum Arcis, Arm. I–XVIII, no. 745. See ibid., similar letters by Duke Heinrich and the cathedral chapter from April 30 and 31, 1518.

69 See Duke George's guarantee, Augsburg, May 21, 1518, ABKG, Vol. 1, 34.—As creditors for annate payments, the Fuggers were in the service of many bishops in the empire in 1500. See Tewes, *Kurie und Länder*, 309.

70 See the prepared material for Cardinal Giulio de Medici's presentation to the consistory [June 17—July 5, 1518], Friedensburg, "Informativprozesse," 177–181.—About the episcopal information gathering processes, see Jedin, "Informativprozeß," 441–446.

71 "*Confirmavit electionem factam a capitulo de eccl.*[*es*]*ia Misnen.*[*sis*] *in Alemania sub metropoli Magdeburgen.*[*sis*] *vacante p.*[*er*] *obitum Joha.*[*n*]*nis de Salharosen ep.*[*iscop*]*i Misnen.*[*sis*]*, et de ea providit in titulu.*[*m*] *d.*[*omi*]*no Joha.*[*n*]*ni Schleimbz cantori et canonico Misnen.*[*sis*]*; cum retention.*[*e*] *prepositure eccl.*[*es*]*ie Incien.*[*sis*] *Brixinen.*[*sis*]

It is even more interesting to read the request of the bishop-elect, who referred to the provostry as a place of refuge to be used should he come into conflict with the dukes of Saxony.[72] Did the new bishop expect to have to continue the conflicts of his predecessor? This seems unlikely, given that the relationship between Johann VII and Duke George was one of close collaboration both before and after his election; in fact, in the following year Johann handed over the allegedly important place of refuge to his friend, Dr. Georg Pusch.[73] The dramatic statement can thus be seen as a pretext that allowed Johann to retain the benefice as income that he was free to use. The willingness of the curia to accept this argument may, of course, indicate that Rome believed the influence of the Wettins on the diocese to be considerable.

The situation in Merseburg, the other diocese under the Albertine protectorate, was somewhat different from that in Meissen. Here, the prince's influence on the cathedral chapter was slighter because the Wettins had the right of presentation to only two canonries; the majority of the body was dominated by aristocrats from the diocesan territory.[74] Nevertheless, a request by Count Wilhelm of Mansfeld is evidence that Duke George was believed to have influence on the appointment. The count, who belonged to the group of Wettin clients, inquired of Duke George in 1515 "whether Your Grace might help me to obtain the coadjutorship in Merseburg." At the same time, he offered "to serve Your Grace as long as I live."[75] The curia too was willing to support George's influence in Merseburg. In 1529, when Vinzenz von Schleinitz, the bishop of Merseburg, and Duke George made the joint request in Rome for the appointment of coadjutor with the right of succession, the bishop described the role of the Wettin protector as "*defensor episcopatus mei*."[76] In view of the struggle against the Reformation, this was a neuralgic position, and Duke George

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dioc.[*esis*]." Consistory minutes from July 5, 1518, A. S. V., Archivio Concistoriale, Acta Vicecancellarii, Vol. 1, fol. 83v.

72 "*Quam petit tanquam refugium extra dominium ducum Saxoniae, si quando cum eis in controversiam venire*." Friedensburg, "Informativprozesse," 181, n. 2.

73 See p. 143 f.

74 About the Merseburg cathedral chapter, see Heise/Kunde/Wittmann.—The Wettins had direct influence over two further canonicates because they were reserved for the income of professors at the University of Leipzig. The presentation rights, however, remained with the university. See Cottin, "Universitätskanonikate"; outdated: Zieschang, 139 f.

75 Count Wilhelm of Mansfeld's letter to Duke George, November 18, 1515, loc. 9033/5, unpag.

76 Bishop Vinzenz of Merseburg's petition to Pope Clement VII, Merseburg, January 25, 1529, A. S. V., Segretaria di Stato, Principi, Vol. 6, fol. 11, 14 (partially edited from the draft with the incorrect date of January 28 in Pollet, Vol. 1, 154–156); Duke George's petition to Pope Clement VII, Dresden, January 28, 1529, ibid., fol. 12 f. (see Pollet, Vol. 1, 65, n. 2).

selected the celebrated Julius Pflug, whom he had significantly helped obtain a canonry in Merseburg in 1526 by means of a papal provision.[77] Only the canons in Merseburg were reluctant to elect Pflug, who had so recently become a member of the chapter as coadjutor, and they prevented George's plans from succeeding. They also ignored his renewed recommendation of Pflug at the next episcopal election in 1535. This double defeat, which concerned a key position in the defense against the Reformation, led Duke George to undertake a last attempt to extend his church governance in 1536 with the aid of the curia. Based on the model of Meissen, he now endeavored, via Schönberg, to obtain the rights of presentation to all the canonries in Merseburg.[78]

2 The Bishop as a Partner in Church Reform

George's church politics intervened deeply on several levels in the sphere of episcopal supervision. The prince exercised a comprehensive supervision of the lower clergy, controlled and influenced the activity of the ecclesiastical courts, and regarded himself as personally responsible for the practice of piety by the laity. Continuous encroachment on the bishops' rights found its programmatic high point in the demand made to Peraudi, as a matter of principle, that the pope should entrust monastic reform and the disciplining of secular clergy to the prince, or to a papally delegated judge dependent on the prince. Was it then George's goal to displace the bishops from church governance?

Against this, George's early years had already seen numerous attempts to get the bishops to exercise their rights of supervision more intensively. To this end, Duke George sought direct negotiations, which were announced as early as 1498 in the draft of a common law code for the Wettin territories. On the basis of a list of Gravamina drawn up in 1499, Albertine and Ernestine counselors met with representatives of the three Saxon bishops and with the archdeacons on July 14, 1500 in Naumburg.[79] The princes' side asked the bishops to collaborate in various areas of church reform. The counselors pointed out, in formulations that closely followed the code of law, that the "common people" sinned against divine commandments, such as the observance of feast days, thereby infringing on the ordinances of the church. They appealed to the bishops

77 See Duke George's letter to Nikolaus von Schönberg, Leipzig, April 6, 1526, ABKG, Vol. 2, 519 f.

78 See Duke George's letter [to Nikolaus von Schönberg], Dresden, March 2, 1536, Gess, *Klostervisitationen*, 47 f., also see Pollet, Vol. 1, 64 f.

79 About the context of the negotiations, see ch. 9, section 2.

"to instruct the preachers and father confessors to remind and adjure the common people to avoid such sin." Like the prince in his territorial law code, the bishops were also to use the clergy to exhort the laity to reform. The joint action by "throne and altar" would improve the Christian life of the people. The bishops were likewise exhorted to undertake the reform of the secular clergy and the ecclesiastical court system.[80] Duke George also spoke of the clerical obligations of supervision in his conflict with Johann VI, and obtained concrete promises from Johann (such as the visitation of the convents) in the arbitration settlement of 1511.[81] We have an endless number of missives in which George asks the bishops to take action in specific individual cases.

Accordingly, George did not demand that the bishops should keep silent and clear the field for the prince's church governance; on the contrary, he wanted them to actively get involved in church reform. In order to define his expectations of the church authorities more exactly, it is instructive to look at the episcopal ideal of late medieval church reform. This ideal was an astonishingly stable construct. The image "*de officio pastoris*" that Jean Gerson elaborated upon with direct recourse to *topoi* of the early church[82] was taken over by pioneering humanist thinkers such as Contarini and Wimpfeling without any substantial alterations, and it was based on this image that the Council of Trent constructed its picture of the episcopal office, with the associated tasks of reform. The type of bishop that was demanded was not the politically active bishop in the Empire, but the pastor of souls and spiritual leader of his diocese. The most important elements were residence in the diocese and personal involvement in pastoral care, preaching and the holding of diocesan synods, and theological instruction and visitation as forms of supervision and guidance of the parish clergy.[83]

Although we have no direct statements by Duke George about the episcopal office, one key text from his immediate milieu followed the same ideal. This, at any rate, is how one can read Emser's *Vita Bennonis*, the biography of the bishop of Meissen who was venerated as a saint. It was written at the request of Duke George between 1510 to 1512, and was dedicated to him. It gives a detailed account of Benno's discharge of his office as bishop of Meissen and, since Benno was a saint, it presents an idealized image. Emser's Benno, schooled in

80 Minutes of the council meeting at Naumburg on July 14, 1500. loc. 14950, "Konzepte […]," 1474–1525 (unpag.), as position no. 2 in the fascicle "1502," See also ABKG, Vol. 1, LVI–LXII.

81 See above, section 1.

82 See Mertens, 17 f.

83 See Jedin, "Bischofsideal," 75–117; Johanek, "Bischof," 70; for further literature, see Volkmar, *Heiligenerhebung Bennos*, 137, n. 514 f.

theology and an academic graduate, exercises his episcopal office as a pastor at the cathedral, and is a reformer who works in the entire diocese. His legendary activity is carried out on various levels: parish visitations to reform the secular clergy, sermons in the cathedral and in the countryside to exhort the laity, and liturgical reform. It is impossible to overlook the proximity to the episcopal idea of late medieval church reform, especially of the Upper-Rhenish humanism of Wimpfeling and Geiler von Kaysersberg, with whom Emser had intensive contact. Against the background of the conflict between Duke George and Johann VI, Emser's *vita* of Benno also contains a direct reference to the politics of the day. It can be seen as ducal propaganda for an episcopal commitment to reform that the current bishop of Meissen lacked—at least, in the eyes of the prince.[84]

The *Vita Bennonis* thus offers indirect evidence that Duke George was sympathetic to the episcopal ideal of the humanist reform discussion. But what was the reality? Did the bishops of Central Germany display any commitment to the reform of the clergy and church around 1500, and were they willing to collaborate with the prince?

Earlier scholars criticized the bishops' unwillingness to promote reform, but this view has been replaced in more recent scholarship by a differentiated picture that shows both the bishops' attempts at reform and the structural reasons why these were mostly ineffective.[85] The situation in Saxony was similar. Johannes von Schönburg, Bishop of Naumburg (1492–1517), had liturgical books printed. In 1507, he published diocesan statutes meant to promote the reform of the secular clergy and the ecclesiastical court system.[86] The reform and standardization of the liturgy by means of printed missals, breviaries, and psalters was a popular reform measure around 1500. Humanist reformers such as Wimpeling, and the Council of Trent at a later date, likewise saw this as a means to a better proclamation of the Word of God.[87]

Johann VI, the controversial bishop of Meissen, also undertook reform measures. He made use of the instrument of diocesan synods, which apparently were held regularly under his aegis at Corpus Christi and on the feast of the evangelist Luke. In 1504, with the consent of the cathedral chapter, he issued diocesan statutes that drew selectively on the tradition and that renewed the

84 See Volkmar, *Heiligenerhebung Bennos*, 132–140.

85 See above, p. 200, and see Volkmar, *Heiligenerhebung Bennos*, 132–35.

86 See Wießner, Vol. 1, 260–263, 938–951.

87 About Wimpfeling see Donner; about the Tridentinum, see Jedin, "Liturgische Bücher."—Liturgical prints for various dioceses throughout the empire were produced in Lotter's printing workshop in Leipzig. See Döring.

diocesan legislation in Meissen with regard to the discipline of the secular clergy and the system of church courts. A beginning was also made in accommodating demands by the prince.[88] An *executor statutorum sinodalium* supervised the observance of the statutes, which were read aloud at every diocesan synod; the priests were required to prove that they possessed them. In 1507, Johann forbade the archdeacon of Lower Lausatia to hold synods of his archdeaconry, because he had copied the bishop by demanding a subsidy from the clergy.[89] Johann's endeavors in the field of liturgical reform are documented by no fewer than some twenty printed liturgical books.[90]

But the most active reformer among the central German bishops was a close relative and political ally of Duke George, the Ernestine Ernst of Magdeburg. His commitment to reform included not only legislative measures—the impulse to hold the diocesan synods in Naumburg goes back to his time as metropolitan—but also a renewal of the institutions. In the 1490s, he made several attempts to reform the ecclesiastical courts in the diocese of Halberstadt, where he took into account complaints from secular authorities. In 1505, he charged his cathedral provost, Adolf von Anhalt, to carry out visitations of the monasteries, collegiate churches, and churches in the archdiocesan territory of Magdeburg, one of the few church visitations prior to the Reformation.[91] Duke George may have seen him as a model for his Saxon bishops; at any rate, Adolf von Anhalt later became bishop of Merseburg and played a prominent role during the Reformation as a reform-oriented man.[92]

Despite limitations, there were active proponents of church reform even among the pre-Reformation bishops of Central Germany. But were they partners of the prince's reform endeavors? We note that the reforming legislative activity of the bishops with their diocesan statutes corresponded in form and content to the prince's Gravamina that were presented in 1499. From his perspective, however, the decisive question was whether the bishops would also implement the reforms, for example among the lower clergy. This was where the problems began. It is clear that the bishops were scarcely capable of

88 This led to acceptance of the duke's demands in the gravamina of 1499 to humanize the punishments for abortion or stillbirths in the diocesan statues of 1504. See Wiegand, "Statutengesetzgebung Meißen."

89 The dispute between the bishop and Otto von Weißenbach, archdeacon and senior at the Meissen chapter, led to the above-mentioned trial between the bishop and the chapter. This was held in Leipzig before the Abbot of Pegau and Provost at St Thomas, who were delegated papal judges. See Rogge, "Bischof und Domkapitel," 203 f.

90 See Wiegand, "Statutengesetzgebung Meißen."

91 See Rogge, "Ernst," 41 f.; Wießner, Vol. 1, 260–263.

92 About the bishop's reform attempts, see also ch. 19, section 2.

carrying out the reform. Even the activity of the ecclesiastical courts on the level of the archdeaconry was largely outside their control, and the potentially most efficient means of episcopal supervision and reform, visitation, had fallen into desuetude. Characteristically, all the episcopal visitations of monasteries in Albertine Saxony were carried out at the prince's initiative, and there were no visitations of the parish clergy at all before the Reformation period.[93]

In view of the limits of the episcopal reform activity, the decisive question for the prince was whether the bishops were willing to support his influence and his attempts at reform in their dioceses, or were thwarting what he did. Were they enemies, or was it possible to integrate them into the prince's reform as partners? Once again, the answer to this question differentiates between the areas of reform, since the prince's endeavor to obtain collaboration depended on the extent to which it was possible for him to intervene independently. In other words, he sought collaboration with the bishops so that he could intervene beyond his own competencies.

Collaboration with the bishop was a precondition for the success of the prince's church reform in only a few areas. These included the visitation of non-exempt religious houses, which had to be carried out by representatives of the bishop.[94] The example of the nuns' house at Holy Cross near Meissen shows how difficult the cooperation could be when the bishop lacked a genuine zeal for reform. Although the arbitration of 1511 explicitly obligated him to carry out the reform of the women's religious houses in his diocese, Johann VI refused in the same year to visit the convent in Meissen. It was only in 1515, after repeated demands by Duke George, that he was willing to visit the convent, accompanied by counselors of the prince who also worked in the ensuing months to ensure the lasting success of the visitation. Nevertheless, cooperation with the bishop was indispensable here, because the prince could not act on the basis of rights of his own.[95]

In other reform areas, the prince emphasized the emergency character of his reforming action, thus making himself independent of cooperation with the bishop. A regulation of 1498 states that, since the clergy were not carrying out their task of imposing effective sanctions on laypersons who infringed on the church order, the prince, with his secular power to sanction, had to lend new authority to these ecclesiastical ordinances. One special trait of the Albertine

93 See ch. 10, section 4, and ch. 19, section 2.

94 For exempted orders, abbots could replace the bishop as visitators. It was not until the well-known monastery visitations of 1537–1538 that George considered proceeding without collaborating with an ecclesiastical authority. See ch. 10, section 4.

95 See ABKG, Vol. 1, LII, with n. 1.

church governance was the self-assured judgment of the lay Christian George, which he believed entitled him to intervene even in the genuinely episcopal sphere of church order. This can be seen in his dealings with the practice of piety by the laity, where George intervened to impose order, ultimately with the claim to exercise a spiritual judgment of his own. This was indeed in keeping with the tendency of the early modern state to make a comprehensive claim to impose order, but at the same time it clearly went beyond the competencies of a prince, whether Catholic or Protestant. Duke George was aware of this problem, and endeavored to obtain the legitimation of his activity by the episcopal authority: "Since then this praiseworthy work concerns the clergy, and it is not appropriate for Us as a secular prince to order this matter alone," he demands from the keeper of the seals at Erfurt the retroactive blessing of the archdiocese of Mainz for his ordinance with regard to the Corpus Christi procession at Langensalza.[96] He was not willing to negotiate the matter itself; all that he demanded of the ecclesiastical authorities was that they legitimate his decisions retroactively.

The mutual relationship in the area of the lower clergy was completely different. Here, the prince claimed an authority of his own that was in competition with the spiritual governance of the bishop. He deduced his rights of supervision from his position as ruler, and he held that the clergy, as his subjects, were subordinate to his rule. This meant that the influence he exercised was completely independent of the bishop's governance or of questions about its efficiency. It was ultimately the political relationship between the prince and the bishop that decided between the alternatives of competition (under Johann VI) or cooperation (under Johann VII). Ideally, it had the potential to lead to a reciprocal strengthening of the disciplining of the clergy by both the prince and the bishop.[97]

The options and conditions for collaboration between the prince and the bishop in church politics thus varied from level to level, depending on the prince's possibilities of exercising influence and on the legitimation of these possibilities. Duke George constantly sought cooperation with the bishops, but always on his terms. The only exception was the ecclesiastical court system, where the territorial government consciously sought to prune back the episcopal rights and to suppress them in favor of the secular court system.[98] There is nothing to indicate that Duke George would have taken a fundamentally

96 Duke George's letter to the keeper of the seals at Erfurt, Dresden, March 29, 1509, cop. 112, fol. 79r–v.

97 See p. 335–339.

98 See ch. 9, section 2.

different position vis-à-vis bishops outside his territory than he took vis-à-vis the Saxon bishops. We see this, for example, in his interventions in lay piety, for which he demanded, as a matter of course, the support of the archbishops of Magdeburg and Mainz.[99]

Finally, we must ask how far the bishops were willing to cooperate. This too, like church reform by bishops in general, depended largely on the person involved. In George's eyes, Johann VI of Meissen was a negative example since, after the concessions he had made in 1511, he was only reluctantly willing to cooperate. This makes George's influence on the election of the bishop of Meissen in 1518 comprehensible. The relationships with the next bishop, Johann VII, and his colleague in Merseburg, Adolf von Anhalt, were much more favorable. It seems that the bishops' willingness to get involved in reform under the guidance of the prince increased under the impression made by the Reformation. Thus, Duke George was able to rely on the cooperation of the Saxon bishops during the Reformation regarding the action he took against Protestant priests and visitations. This was an important factor in the effectiveness of his church governance against the Protestant movement. The collaboration with the bishops can in fact be seen as a hallmark of Duke George's church politics during the Reformation.[100]

Accordingly, territorial church governance did not aim at suppressing the functions of the bishops as supervisory ecclesiastical authorities; however, the prince exercised intensive control over their activities and demanded that they become involved in church reform. He also accepted the mechanisms of episcopal church discipline, such as the passage through the ecclesiastical channels or—usually—the competence of the ecclesiastical courts to impose penalties on clergymen (*privilegium fori*).[101] Although the bishop, as agent of church reform, corresponded to the late medieval episcopal ideal, it must be asked whether the strong position of the prince was still compatible with the same ideal. This would have been denied by the Council of Trent, since, by controlling the bishop and demanding his cooperation with territorial reform,

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99 See ch. 12, section 1.—Also the negotiations about ecclesiastical jurisdiction reform in 1522 were conducted with the Saxon bishops as well as with Cardinal Albrecht. See ch. 24, section 2.

100 See ch. 19, section 2.

101 See ch. 11, section 3.—Duke George tried to use the bishops' positions as leading ecclesiastical authorities; for example, when he called out Johann VI as "the highest prelate" to "account for the failures of the lowest archdeacon" and "with his episcopal power and authority" to send a directive to the Bautzen provost. See Duke George's letter to Bishop Johann VI of Meissen, April 21, 1503, cop. 108, fol. 252v.

the prince was placing himself above the local church. The prince's policy was not the suppression of the bishop, but his mediatization, also in the sphere of church reform. He did not see his interventions in the church system as substitutes for ecclesiastical supervision; on the contrary, Duke George envisaged himself as a second supervisory authority over the church in his territory, standing alongside or above the bishops. It was legitimated by his own, non-ecclesiastical right, his lordship over the territory.

3 The Meissen Cathedral Chapter as an Agent of Wettin Church Politics

The special significance of the cathedral chapter for Wettin church politics was the result of its position relative to the bishop. The canons not only elected the bishop (usually from their own ranks), they were also able to secure a share of control over the diocese through provisions of the election contract. The bishop was dependent on their compliance not only in financial questions, but also in religious matters, such as the formulation of diocese bylaws and the incorporation of parish churches. In the case of the dioceses of Meissen and Merseburg, there were many additional archdeaconries; thus the mid-level church administration was also linked to the cathedral canonicate.[102] Furthermore, as was common throughout the empire, the cathedral chapter in Saxony was crucial for the provision of spiritual counsel to the territorial lord.[103]

Meissen's cathedral chapter occupied a special place within the framework of Duke George's church politics. No other chapter had a comparable relationship. Even in Merseburg, the circumstances were different: the house of Wettin did not control the make-up of Merseburg's chapter, and it was not always a dependable political partner, as was shown by the debacle surrounding Julius Pflug's coadjutor bishopric in 1529.[104] The foundation of the close relationship between Meissen's canons and the Albertine duke was undoubtedly created by the increasingly strong influence over chapter member selection by the Wettin dynasty. To sum up the political role of the chapter, the canons were a faction

102 See Rogge, "Bischof and Domkapitel"; Wiegand, "Statutengesetzgebung Meißen."—The consent law of Meissen's cathedral chapter on incorporation documents is evidence of the incorporation of the Zadel parish into the Altzella cloister. See the letter of consent of the dean and Meissen's cathedral chapter. November 16, 1515, Loc. 8918/23, fol. 2.

103 See Marchal; Bünz, "Domkapitel" (with further literature), and see p. 59 f.

104 See above, p. 215–218. Additionally Zieschang, 141.

for the house of Wettin within the diocese, and at the same time they were agents of territorial church politics outside and beyond the diocese.

The influence of the Wettins on the appointment of at least fifteen canonicates in Meissen's cathedral chapter grew steadily during the fourteenth and fifteenth centuries. Beginning in 1329, they acquired the first rights of patronage over a canonicate, but even during the struggle with the Bohemian Luxemburgers for domination of the diocese, a majority of canons had already sided with the house of Wettin. Many of the canons came from Saxony's lower nobility and felt tied to the margraves, even if their official positions had not directly been obtained from the Wettins. After the 1399 struggle against the Bohemian crown for supremacy had been decided in their favor, the Wettins acquired more and more presentation rights with the help of papal privileges.[105] In 1476 and 1481, two of Pope Sixtus IV's papal bulls made the influence over the territorial sovereigns complete. They awarded not only the remaining five canonicates to the Wettins, but also the right to decide upon the entire prelature (chosen from canons on hand). On the evening before the Leipzig partition, a document from the princely brothers, Ernst and Albrecht, clearly stated the details of the procedure. However, two canonicates that were reserved for the salary of theology professors from Leipzig were not directly chosen by the Wettins.[106]

The presentation rights received by the Wettins from the Pope were subject to the provisions of the Vienna Accord of 1448. Afterward, the Pope and

105 See Zieschang, 139 f.; Lobeck, 30, n. 45; Rogge,"Bischof und Domkapitel," 182–206; Streich, "Bistümer."

106 See Bull from Pope Sixtus IV., Rome, June 9, 1476, CDS, II, Vol. 3, 240 f.; Bull from the same, Rome, December 24, 1481, ibid., 263; Charter of Prince Ernst and Duke Albrecht, Zwickau, March 19, 1485, ibid. 272 f.—It is important to discern between chapter positions (canonicates), their corresponding prebends, and the honorary offices (prelatures, or special offices and honors) invested upon individual canons. According to disclosures from a contemporary register in Meissen, there were special offices of the provost and dean as well as honors for cantors, scholars, and curators. Additionally, some archdeacons and associated special offices of other collegiate churches within the diocese of Meissen were incorporated into the cathedral chapter. These included the provostship of Bautzen, associated with the archdeaconate of (Upper-) Lusatia, the provostship of Grossenhain-Zscheila (with its own archdeaconate) as well as the archdeaconate of Nisan and archdeaconate of Lower Lusatia, whose incorporation into the cathedral chapter was disputed by Bohemia. Also, the cathedral provostship and the cathedral deanship were associated with archdeaconates of the same name. See *Registrum prelaturarum, prebendarum et obedientiarum ecclesiae Misnensis*, 1496, Loc.8987/ 35; see also Blaschke/Haupt/Wiessner; Loose, "Domklerus," 348–351; Lehmann, *Lausitz*, 159 f., 167–169.—About university canonicates, see Cottin, "Universitätskanonikate."

collators of the order distributed the presentation rights through the sinecures of the imperial church so that the appointments became dependent upon the month in which a sinecure office holder died, according to the principle of *alternatio mensium.* Thus, it would be the Pope's turn in odd months and the turn of the presentation rights owner in even months. Both parties could delegate their authority in the form of a *facultas nominandi*. This is exactly what happened in the papal bulls that favored the house of Wettin; they always required permission from the bishop or cathedral chapter, were obligated to the collators of the order. In practice, the Wettins were granted presentation rights every month.[107]

Duke George attempted to expand the strong position of the Wettin dynasty in Meissen. Procurator Gűnther von Bűnau, assigned to Rome in 1504/05, was not only supposed to obtain a routine confirmation of the Sixtus privileges, he was also to expand presentation rights for the territorial lord in every case where a prebend was to be dealt with in what was otherwise under the special legal authority of the pope.[108] Of course, Pope Julius II held onto this last possibility for influence with the hint that, not long ago, he himself had "predicted [something similar] to an important and powerful king [...]."[109] In the execution of his presentation rights, however, Duke George saw himself rarely defeated by competitive kickbacks from Rome. As he had with the lower clergy sinecures, he actively defended his rights, and as a result was very successful.

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107 See Accord of Pope Nicolas V with Kaiser Friedrich III, Vienna, February 17, 1448, Mirbt, 238–240; also Meyer, "Wiener Konkordat," 108–114.—In dealing with provisions of canon law, Duke George was able to profit from the expertise of the canons. Within a few days of the death of Canon Christoph List in June 1506, his former chancellor Heinitz presented a factual assessment to him about filling the vacancy: "[...] and also due to where he died, Your Princely Grace may award his prebend in any month, and so it is in the current month Your Princely Grace, because it is a Pope month." (Letter from Dr. Nicolas von Heinitz to Duke George, Meissen, July 13, 1506, Loc. 8994/9, fol. 36). To begin with, Heinitz points out that List died outside of Rome (specifically in Kemberg near Wittenberg), which meant that no papal restriction could intercede, and that George would have the right to fill the post in any month. Additionally, he emphasized that July was a pope month. In doing so, he was likely making reference to the conflict between Johann VI and George, who was able to convince the bishop to withdraw the *Facultas nominandi.*

108 Here, Duke George was targeting the papal conditions that applied to prebends whose proprietors were confidants of the pope, or who lived in Rome, or who had died within a three-day travel radius of Rome. See Duke George's letter to Cardinal Melchior of Meckau, [from November 7, 1506], Loc. 8987/37, fol. 25 f., the partially edited passage about the cassation contract with Meckau: ABKG, Vol. 1, LXIII, n. 1.

109 Report by Dr. Günther von Bünau [zu Schkölen] to Duke George [1505/06], ABKG, Vol. 1, LXIII, n. 1 and LXIV f.

There was only one case that resulted in a lengthy confrontation.[110] This was in 1506, when Eichstätt's canon Dr. Johann von Wirsberg—a former student from Leipzig and a friend of Father Johannes Eck—made demands on Meissen's deaconry and cited cathedral dean Dr. Johannes Hennig (appointed by Duke George) before the Roman Rota tribunal. Significantly, the cathedral chapter and duke acted in concert to counter the attack on the presentation rights of the prince. The chapter sent procurators to Rome who were given blank letters of credence from George. Additionally, the duke commissioned his most influential contact person at the curia, Cardinal Melchior of Meckau. Keeping in mind the Roman practice of hunting for benefices, and with an eye to the embattled Hennig, he warned Meckau to see the suit through and not to accept a retirement settlement.[111] In the end, however, this was the reason that the conflict continued for many years. Even in 1529, long after Hennig's death, Wirsberg, who by this time had risen to become Eichstätt's dean, retained a pension from Meissen.[112]

To avoid similar problems, Duke George corresponded in 1508 with Cardinal Meckau, who was also dean of Meissen's cathedral. For the Duke, it was a matter of conflict prevention should Meckau happen to die while at his Roman residence. This was because, in the case of a cleric dying in Rome, the pope was allowed by commission to have access to the benefices of the deceased. George requested that Meckau ensure through papal exemption that his canonicate in Meissen would not fall under this papal stipulation.[113] A few months later, Meckau did indeed die in Rome, but without Roman intervention in the filling his vacancy. All told, the territorial lord's strong position ensured that Meissen's chapter was seldom a target of Roman speculation in benefices, which was not

110 Duke George was able to avert similar attempts by Karl von Miltitz and Dr. Georg Pusch in advance. See p. 147–149.

111 See letter from Duke George to Dr. Johannes Hennig, Dresden, November 7, 1506, Loc. 8987/37, fol. 21–24; George's letter to Meckau [1506] (like n. 108).—On Wirsberg see ABKG, Ms. Werl, nr. 1806, n. 2.

112 In 1509 the suit was still pending, as indicated in a letter from George in which he approached the bishop of Eichstätt in order to put pressure on Wirsberg. See Duke George's letter to the bishop of Eichstätt, Dresden, May 3, 1509, Cop. 112, fol. 279v–280r. The negotiations of 1529 in which George sought a reduction to 30 fl. resulted in Wirsberg being able to push through a pension. See Duke George's instructions to Hans von Schönberg and Dr. Johann Spiegel concerning an application to Prince Johann Friedrich in Speyer [Dresden, March 29, 1529], ABKG, Ms. Werl, nr. 1806; Duke George's letter to Dr. Johann von Wirsberg, Eichstätt cathedral dean, Dresden, April 26, 1529, ibid., nr. 1826.

113 See Duke George's letter to Cardinal Melchior von Meckau, Leipzig, October 30, 1508, Cop. 112, fol. 248r.

the case for neighboring Merseburg.[114] The duke's influence made the chances appear too slim when calculated against the costs required for outside interests to push through claims from Rome. This protection is certainly where one should look to find motivation for Meissen's cathedral chapter in its support for the duke's growing influence.[115]

Canonicates of Meissen's cathedral chapter were the best possible rewards the Albertine ruler could offer his clerical counselors. With an average yearly salary of 200 florins, they were considered the best-paid prebends in the country.[116] When a canonicate became vacant in Meissen, it was similar to the prince's patronages for lower clergy in that there were quickly many candidates for Duke George to draw from. His immediate surroundings provided an overabundance of contenders from relatives and friends that were recommended for attractive benefices.[117] The recommendations usually only took written form when the duke was out of the country. Even Duchess Barbara submitted two advocacies on April 9, 1510 to her "truly dearest lord and spouse," who was attending the Imperial diet in Augsburg. Meissen's cathedral dean, Siegmund Pflug, had died just two days before while accompanying the duke to the diet. The duchess had barely heard about Pflug's death—for whose soul she made an offering—when Christoph Ziegler, a civil servant from Meissen, presented himself. He applied on behalf of his son (of the same name) for Pflug's canonicate, explaining that Duke George was his godfather and "had already given reason to believe […] he would be granted a position." On the same day, Anne Spiegel, a young lady of the court, approached Barbara to plea for her brother to receive one of "many benefices" left behind by Pflug.[118]

Duke George's priorities in filling canon positions were clear. On the one hand, loyal servants of the prince were ti be rewarded; on the other, new canons had to represent the duke and the interests of the house of Wettin within the diocese as religious counselors, henceforth and beyond. The provisions in George's first testament of 1510 can be seen as guidelines: "… and one should take special care that the prelature and prebend of Meissen be granted to truly devout men who are loyal and amenable to the secular government." The significance of Meissen's canons to the duke was even further underscored by the fact that, aside from this remark, the testament had only one other mention of

114 See p. 140–147.

115 See Gramsch, 413–415 (Meissen as example).

116 For the economic return on Saxon canonicates see Cottin, "Universitätskanonikate."

117 See p. 283–291.

118 Duchess Barbara's letter to Duke George, [Dresden?] April 9, 1510, Loc. 8498/1, fol. 235. Machatschek cites the date of Pflug's death as April 7, 1510. See Machatschek, 596.

politically oriented instructions.[119] With this, George followed the Wettin tradition of church politics—in 1399, Margrave Wilhelm I wanted to see his canons be "zealots" for his policies.[120] In practice, George's choice of candidates was coordinated with trusted members of the chapter who were aware of his priorities. In 1506, when he set his sights on Haugold von Einsiedel to receive a canonicate, he asked his former chancellor Nicolas von Heinitz for an opinion. The canon welcomed his lord's choice, since Einsiedel was "honest to the praiseworthy cathedral chapter and for Your Princely Grace no less valuable"; in short, a man "who Your Princely Grace would also want to make use of."[121]

Increasingly, Meissen's canons became the natural allies of Wettin church politics. A majority of the chapter was already on the side of the Wettins by the fourteenth century when the Bohemian kings were struggling for domination over the diocese. Later, the duke supported the demands of the chapter against the bishop, and it acted as a faction of the Wettins in the bishopric, where it was able to exert influence over bishops, the selection of bishops, or diocesan synods. "Around the year 1500 at the latest, the canons were supporting the politics of secular princes even more than that of their own ordinary."[122] Along with financial issues, conflicts between the bishop and the chapter, and the co-governing of the diocese, the canons also served as archdeacons. In this role, they made an effort to diminish the influence of the bishop in their pastoral and judicial districts.[123]

As Duke George assumed his reign, one of his first tasks in office was to arbitrate a dispute between Bishop Johann VI and his chapter, which was brought before the royal forum by the canons.[124] The alliance between prince and chapter was also proven during the years of open conflict between George and this bishop. The duke and the chapter were in close coordination with both George's former chancellor Heinitz and the cathedral dean Hennig as his most important liaisons. Heinitz reported to his patron from Meissen nearly every day and came and went at the Duke's court as he pleased.[125] Even the legally

119 Duke George's testament of December 19, 1510, O. U., Nr. 9875, fol. 5v.

120 Bull from Pope Bonifaz IX., Rome, December 12, 1399, CDS, II, Vol. 2, 285 f. See also Zieschang, 138–149.

121 Letter from Dr. Nicolas von Heinitz to Duke George, Meissen, July 16, 1506, Loc. 8987/38, fol. 1.

122 Rogge, "Bischof und Domkapitel," 205.

123 See ibid., 183–206.

124 See Arbitration statement of Duke George, June 21, 1490, CDS, II, Vol. 3, 284 f.

125 Alone, nine letters between Heinitz and George handed down from the period of April 22 to August 16, 1506. See Loc. 8985/24, not foliated; Loc. 8987/38, fol. 1, 3; Loc.8994/9, fol. 23–25, 36.

questionable appointees to the episcopal city of Bischofswerda supported the chapter, and sometimes acted directly on instructions from Duke George in their dealings with the bishop.[126] Indeed, Johann VI had every reason to complain about the pact between the chapter and the duke that was allied against him.[127]

With its personnel and financial resources, the cathedral chapter was also an important support of the Wettin's politics beyond Meissen's Burgberg ("castle hill"). At the duke's court, the canons were called upon to be counselors or judges, and at external noble funerals, they were sent as emissaries to represent the Wettins.[128] Their positions as clergymen and their higher education—important canons such as Hennig and Heinitz were doctors of theology or canon law—commended them especially well as religious representatives of the duke's church politics. Thus, many of Meissen's canons found themselves in Rome as Duke George's procurators. The duke entrusted the promulgation of Annaberg's jubilee indulgences to cathedral dean Hennig, whom he arranged to have appointed as indulgence commissar by the pope.[129]

Meissen's canons played a central role in the decades-long effort to have Bishop Benno of Meissen canonized. In fact, the chapter operated formally at the curia in 1499 as an equal partner together with Dukes Albrecht and George at the opening of the canonization process. Nonetheless, a look at the correspondence quickly reveals that the chapter's actions were dependent on their prince. By George's order, the aging cathedral dean Hennig acquiesced to the personal hardships of a trip to Rome. Without prior consultation, the chapter patiently bore the lion's share of the imposed legal costs of several thousand gulden.[130] The cathedral chapter was not only the institution providing proper religious counsel to the duke, it was also the executive organ and financial resource for his church politics.

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126 See letter from Dr. Nicolas von Heinitz to Duke George, Meissen, July 16, 1506, Loc. 8987/38, fol. 1; Duke George's letter to Meissen's cathedral chapter, Oschatz, October 23, 1508, Cop. 110, fol. 16.

127 See above, p. 208.

128 See e.g. Duke George's letter to [Ulrich von Wolffersdorf,] Meissen's cathedral dean, April 11, 1495, Cop. 105, fol. 134v; Letter from the same to the same and canon Dr. Thamo Löser, August 11, 1495, ibid., fol. 199v.—See also Zieschang, 145–149.

129 See p. 174, n. 208.

130 See Volkmar, *Heiligenerhebung Bennos*, 69–92.

4 "[…] located in our castle at Meissen": How Duke George Saw the Meissen Cathedral

In 1505, when Günther von Bünau zu Schkölen returned to Saxony from his mission to the curia, he was met with disfavor by the duke. The reason for this was not that the pope had refused to grant the procurator, but rather the nature of what he actually did obtain, specifically, a papal confirmation of privileges from Pope Sixtus IV regarding the Wettins' presentation rights in Meissen's cathedral chapter. At first glance, there was no difference between the bull from Julius II and those submitted by his predecessors. However, this was exactly what angered George: like the bulls from 1476 and 1481, which had favored Ernst and Albrecht, George and the Ernestine Elector Friedrich were now named as recipients.[131] Included, however, was a remarkable provision that applied to George's church politics: his exclusive rights to benevolent control over the bishopric and diocese of Meissen. As in his dispute with Johann VI, Duke George also wanted to be the sole representative from the house of Wettin to have rights over Meissen's cathedral chapter. In short, this was the highest objective of Albertine politics that George had to put into practice against the Ernestines. This was due to provisions of the Leipzig partition that clearly granted common patronage of "Meissen's bishopric and diocese" to both families. When formulated this way, one must assume that the cathedral chapter was included, despite not being specifically mentioned in the partition document.[132] An initial confirmation of the Sixtus privileges, which came in 1489 from Innocence VIII after the partition, also continued to name both family lines.[133] Even more remarkably, an angry George claimed that by including the Ernestines, the new privilege was an infringement "contrary to the distribution of inheritance from uncle and father."[134] Was George not familiar with his own partitioning document?

The situation was further complicated by the unhappy procurator Bűnau's assertion that the naming of Friedrich the Wise was not his fault. Instead, it was because the Ernestine procurator Ulrich Sack had taken the already submitted request and inserted the Ernestine's name.[135] However, independent of whether the naming of both family lines was Bűnau's failure, an Ernestine intrigue or, as Bűnau later believed, an unauthorized act on the part of Sack,

131 See ABKG, Vol. 1, LXIII, n.1 and LXIV f.

132 Charter of Elector Ernst of Saxony, Leipzig, August 26, 1485, O.U,, Nr. 8578.

133 See Bull from Pope Innocence VIII., Rome, February 22, 1489, CDS, II, Vol. 3, 278.

134 George's letter to Meckau [1506] (as in note 108).

135 Bünaus report, 1505/06 (as in note 109).

the question remained as to how George was to justify his claim to exclusive representation.

Here, the procuratorial assignment of Melchior of Meckau is very revealing. At the curia, he was to obtain a cassation of the adverse privilege in George's name. George relied upon the normative power of the *de facto*; in other words, customary law. Since receipt of the privileges, first Ernst and Albrecht, and then George himself had "so far, behaved calmly and peacefully at all times, without any offence or hindrance." It followed the argument already presented, that the privilege violated the Leipzig partition because it granted presentation rights to "our cousin along with us." George gave no direct hint as to how he arrived at this astonishing interpretation of the partition, but the key must be here. He was explicitly referring to the partition contract, whereby in the case of the bishops, he deliberately ignored the (for him, disadvantageous) rules of the partition in order to claim the right of exclusive representation.

One subordinate clause provides the answer and, at the same time, opens a deep insight into Duke George's political conceptual world. He alleged that the "prelatures, special offices, and chapels […]" in question "[…] are situated within the cathedral chapter in Meissen's castle."[136] At the same time, he expressed the idea even more clearly in a letter to the cathedral dean, that specifically, "[…] the same cathedral church with Their Holinesses (the prelatures of the cathedral chapter) is located within our Meissen castle, which is, as you well know my dear fellow, adjoined with embellishments and fortifications, and is one of our main castles, and the foremost of these in our lands."[137] Amazingly, Duke George makes absolutely no association between Meissen's cathedral chapter and the partition stipulations regarding patronage over "Meissen's diocese and cathedral chapter." Instead, he sees it much more as a matter of straightforward, secular legal title, including the margrave castle on Meissen's castle hill, which the Albertines were entitled to after the Leipzig partitions, as with all Wettin possessions in and around Meissen.

George was indeed successful against the Ernestines in pushing through his claim to exclusively represent the Wettins' rights regarding Meissen's cathedral chapter. The Ernestines did not try to exercise presentation rights in Meissen's chapter either before or after Bűnau's unsuccessful mission. Elector Friedrich personally assured the worried Bűnau that he had no desire to make use of the confirmation bull that named both family lines.[138] Furthermore, only the

136 George's letter to Meckau [1506] (as in note 108).

137 Herzog George's letter to Dr. John Hennig, Dresden, November 7, 1506, Loc. 8987/37, fol. 21–24.

138 See Bünau's report, 1505/06 (as in note 109).

Albertines took up the confirmation of the chapter's bylaws—more evidence of the reach of Wettin influence.[139] The Ernestines only employed the brokering services of the cathedral chapter at the diplomatic level, for instance in the 1490s during a disagreement with Bishop Johann VI.[140] They were, nonetheless, barred from patronage. When Elector Friedrich—for once ready to dig in his heels—wrote to demand military service from the chapter, they answered dismissively (apparently after controversial deliberations) that the chapter would only be obligated to Duke George for military service.[141]

As Duke George's point of view is described, the implications extend far beyond the Wettins' internal struggles over power sharing. Unexpectedly, the number of claims the Saxon rulers made on Meissen's castle hill around the year 1500 is quite clear. What a difference compared to the high Middle Ages, when the three powers—the margrave, bishop and castle governor—all shared control over the castle hill and the city![142] The Wettins had long since passed by the other powers. The Meinhering's dynasty of castle governors had died out in 1426 and, starting in the fourteenth century, the bishops had been brought under Wettin control.[143] By this point, even the founding of the diocese by Emperor Otto the Great was being suppressed by the house of Wettin, and they claimed that the bishopric had been "founded by our forefathers of old."[144] The altered political relationships found their symbolic expression

139 The chapter had already presented a draft of bylaws to Duke Albrecht two years prior to adoption, which he passed along to Duke George for consultation with counselors from Dresden. See Duke Albrecht's letter to Duke George, Lindau, September 21, 1496, CDS, II, Vol. 3, 299; bylaws of Meissen cathedral chapter, September 28, 1498, ibid., 303–313. For the confirmation from Cardinal Peraudi due to George's initiative, see 119, note 28.

140 See Rogge, "Bischof and Domkapitel," 202 f.

141 The printed announcement of August 30, 1512 at Zieschang, 88 with n. 3, ibid., 89, quoted concepts for a positive answer by the chapter were apparently not approved. The final (negative) answer is found in the Weimar files. See letter from the Meissen cathedral chapter to Elector Friedrich and Duke Johann, 1512, ThürHStA Weimar, Reg. B, nr. 1071. See also Goerlitz, 259.—In 1518 Duke George even forbade the dean and chapter to attend the Ernestine territorial diet. See Kirn, 100.

142 See Blaschke, *Geschichte Sachsens*, 143–153; id., "Meissen".

143 Concerning mediatization of the Bishops 68–70.—Meissen's castle governors from the Meinhering dynasty died out by 1426, and the Wettins took over their rights. They completely disappeared from the castle hill where they had not resided since the thirteenth century, but they still possessed burial plots by the tomb of St Benno. The assumption of their titles by the bailiff von Plauen had no effect on the relationships in Meissen. See Blaschke, *Geschichte Sachsens*, 288 f.; Volkmar, *Heiligenerhebung Bennos*, 4; as the only monograph about the castle governors see still Hasche.

144 Prince Ernst's and Duke Albrecht's letter to Melchior von Meckau, Dresden, January 19, 1473, CDS, II, Vol. 3, 221 f. (nr. 1170).

on top of the castle hill. As indicated by the above-quoted letter to the cathedral dean, not only the Wettin castle, Albrechtsburg, and the Prince's Chapel (located in the western choir of the cathedral),[145] but also the cathedral chapter and the Bishop's Church itself were counted by George as accessories of the ducal residence. Therefore, the cathedral and cathedral chapter did not comprise the religious infrastructure of the Diocese of Meissen, nor were they even attributed to the secular dominion of the Bishop. Instead, they appeared as religious institutions at the Wettins' secular center of power in the same sense as the court chapel in a medieval royal court.

From this perspective, the persistence with which George pressured Johann VI in the arbitration ruling of 1511 to finish the not yet completed construction of the Bishop's castle of Meissen also becomes more understandable.[146] Construction of the new Bishop's Castle, which still stands today, was begun around 1480 under Johann V, but it was only built to the second level. Matthias Donath, who most recently researched the structure, sees it as a political manifestation: "The seat of power was intended to demonstrate that the bishops had no intention of turning over Meissen's castle hill to the Wettins."[147]

But why would Duke George have demanded that the Bishops' unfinished buildings be completed into an impressive castle structure, when he could surely see that it would detract from the Wettins' residence on the prestigious castle hill? If the Wettins demanded completion of the castle instead of letting it drag on, this could only mean one thing. The Duke regarded the bishop not as a rival, but as a subordinate. Indeed, Johann VI did have to struggle against Duke George's claims "that our court (the bishop's castle) lies within the Meissen castle." While the bishop persisted in his view that the castle hill was, above all, the location of a church, and therefore "the courts and homes belonging to me and other members of the church are not in his (Duke George's) castle,"[148] the Duke's position must be taken equally seriously. Meissen's castle hill embodied an exclusive center of Albertine power under his aegis, and all

145 See Streich, *Hof*, 107–111; Gurlitt, 168–171.

146 See above, p. 214.

147 Donath, "Residenzen." For making available a preliminary manuscript, I thank Dr. Matthias Donath (Berlin) very much. Concerning the Bishop's Castle see Donath, "Bischofsschloß."

148 "Because we know […] that the entire hill—upon which Meissen's cathedral is built—belongs to us and our church. By our ancestors the Wettins were allowed to build a house by the church. Although, extending sanction and bequest, the Wettins' have built a castle, this castle is built in and on our church's land by the cathedral, and not our courts and the homes belonging to other church personnel in his castle." Written defense by Bishop Johann VI of Meissen. [ca. 1508/11], CDS, II, Vol. 3, 326, n. 3.

religious institutions located there, including the cathedral chapter and the bishop, were subject to his authority.

Development on the castle hill around the year 1500 also made this appropriation clear. The cathedral and the Bishop's Castle located on the southwest part of the plateau were not only surrounded by the margrave castle, but also enclosed by the formidable Red Tower, an old residence and fortification of the margrave in the center of the hilltop which was demolished around 1493 to 1505.[149] For a visitor accessing the hill from its single western entrance, these structures were indeed located within the Wettin castle complex.

Not only did Duke George, who always spent Easter in Meissen, actually push for the expansion of the Albrechtsburg Castle[150] and the Bishops Castle, he also encouraged the transformation of Meissen's cathedral into the religious center of Albertine territorial rule. He took over the formerly bishop-controlled anti-Wettin Benno cult for the benefit of his territorial government, leading it to new and greater significance with the papal canonization in 1523. He expanded the Prince's Chapel—the center of Wettin memoria—with his own funeral chapel.[151] Finally, in 1516 he founded a cathedral celebration of the Feast of Mary, Virgin of the Snows, as the principal memorial for all those who had lost their lives in service to the Albertines.[152]

With the completion of the Bishop's Castle in Meissen, the power of the bishop was not represented, displaying his subordination to territorial rule on what was clearly now the Wettins' castle hill. With the Albrechtsburg Castle standing before it, the difference in rank was clear: in his Meissen castle, the bishop was only a vassal at the court of a more powerful man. Concerned about his independence like no other bishop of his era, Johann VI consequently had his residence in Wurzen rebuilt and the castle in Stolpen modernized, while neglecting the completion of the castle in Meissen.[153] Those who followed him were more typically loyal to the Wettins and compensated for this, and in doing so did not document the power of the bishops, but rather their subordination to the Wettin duke—at least in George's view. From three seats of power, and the plateau where the Diocese of Meissen was located, a single power arose: the Wettins' castle hill.

149 See Kobuch, "Roter Turm."

150 See Blaschke, "Meissen," 228.

151 See Volkmar, *Heiligenerhebung Benno*, 153; Krause; Donath, "Memoria und Liturgie".

152 See p. 440–446.

153 See Donath, "Residenzen."

CHAPTER 9

The Ecclesiastical Court System

1 Territorial Government and the Ecclesiastical Court System

The development of the ecclesiastical court system in the late Middle Ages is a success story. It had an enormous upsurge both qualitatively and quantitatively in the aftermath of the Fourth Lateran Council (1215) and became a central pillar of the legal culture, profiting society as a whole. Milestones passed along the way were the learned study of canon law, the codification of the *Corpus Iuris Canonici* on the juridical level, and the formation of the officialate on the institutional level. By the mid-fourteenth century, both processes had concluded, in central Germany as elsewhere.

The result was an ecclesiastical organization of law courts that had no secular counterpart. It possessed a legal code that bore the stamp of Roman law, an efficient procedure based on written documents, trained professional judges (the officials), and a spatially comprehensive stratified organizational structure where various bodies had specific competences. In keeping with the ecclesiastical hierarchy, its structures included the archdeacon's court and the bishop's court, below which were the archiepiscopal and papal courts, as well as papally delegated judges who sat locally.[1]

There were consequences. The accessibility, efficiency, and transparency of the ecclesiastical courts of law made them attractive to the laity, and a generous interpretation of the stipulations of canon law made it possible for these courts to take on disputes that had a purely secular origin. They claimed jurisdiction over a wide legal field: *ratione personarum*, it included all members of the clergy (the *privilegium fori*), the poor, widows, and orphans, but also crusaders, pilgrims, members of universities, and even merchants; *ratione rerum*, it included numerous sectors of public life connected to the church's sacraments (e.g., matters concerning marriage and wills), and where transgressions were regarded as sinful (e.g., breaches of contract, since contracts were usually confirmed with a religious oath). These legal fields were known as *causae*

1 About ecclesiastical jurisdiction, see Hashagen, "Charakteristik"; Johanek, "Bischof," 94–101; Mikat, 264–309; Plöchl, Vol. 2, 346–400; Trusen, "Kanonisches Recht"; further: Buchholz-Johanek.—about the situation in Central Germany, see Diestelkamp, "Geistliche Gerichtsbarkeit"; id., "Geschichte"; Gramsch; Hannappel; Hilling; Lück, 50–78; May, *Organisation*; id., *Generalgericht Erfurt*.

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spiritualibus annexae or (in view of their disputed position between the ecclesiastical and the secular courts) *causae mixti fori.* In addition, there were regulations of canon law that permitted the treatment of secular cases when it appeared that the secular courts did not guarantee the administration of justice. This meant that the ecclesiastical courts represented, almost everywhere, a serious competitor for the secular law courts.[2]

From a superficial point of view, the conflict between territorial sovereignty and the ecclesiastical court system had already been generated by the overlap with the secular administration of justice. These "smoldering conflicts about competence" (to use Paul Mikat's term) were structurally inevitable, because there was never any unambiguous demarcation between the secular and the ecclesiastical legal spheres. The *Corpus Iuris Canonici* gives information about the precise competence claimed by the ecclesiastical side, but agreement on this point was never reached. Despite the acknowledgment in principle of the separate areas of competence, the boundaries always remained unclear. They were in a state of flux, just like the balance of power between church and state.[3]

However, the resoluteness with which the secular side accelerated the conflict at the end of the Middle Ages points to deeper causes connected with constitutional history. From this perspective, the conflict can be seen to be the consequence of an intensified secular government. Control over the law courts played a central role, since the preservation of justice and peace was traditionally the most important task of legitimate government.[4] The ecclesiastical courts had a wide-reaching impact on society, but it was impossible for the prince to exercise a direct authority over them. Accordingly, the secular power had to aim at pushing back the ecclesiastical competitor and building up indirect control mechanisms. In addition, financial interests prompted the attempt to remove the ecclesiastical competitor from the field, since court fees and fines were coveted sources of income.[5]

This reveals the great impact of the conflict with the ecclesiastical court system on the construction of territorial church government: paradigmatically, church politics could not be restricted to a religious sphere (however one might wish to define this), because the close fusion between church and society generated political power struggles. The clash between the ecclesiastical

2 See Plöchl, Vol. 2, 347–349; Lück, 51–53; Mikat, 266–272; Johanek, "Bischof," 97–100; Albert, 27–56, 335–340.

3 See Mikat, 293 f., the quote 270.

4 About the term "government" see p. 32–36. See also Janssen, "Gute Ordnung," 161; Johanek, "Bischof," 100.

5 See Lück, 274.

judiciary and the secular territorial government occurred everywhere throughout the Empire.[6] The princes obtained papal privileges, for example, against the summoning of their subjects before ecclesiastical courts located outside their territory. We have evidence of a pattern of negotiations that took place in many territories with the bishops, and of direct pressure placed on the ecclesiastical courts by means of interference with their communication channels (parish priests, court messengers).[7] In this way, the struggle against the church courts was one of the central issues in late medieval territorial church politics.[8] We must bear in mind the power-political motivation of these politics if we wish to correctly evaluate the contemporary complaints about the degeneration and abuses of church courts.

It will come as no surprise that criticism of the church court system formed part of the late medieval discussion of church reform, as at the Council of Constance and in the reform treatise *Reformatio Sigismundi.* It was also a prominent theme in the complaints of the Reformation period, such as the Gravamina of Worms (1521) and Luther's *Letter to the German Nobility* (1520).[9] The most important points of criticism were the following:[10]

1. The ecclesiastical courts exceeded their competence by trying secular cases;
2. people were summoned before courts that were often far outside their own territory;
3. the courts issued unjust or immoral decisions; and
4. they applied abusive ecclesiastical sanctions against innocent and/or uninvolved persons.

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6 See ch. 3.

7 See Mikat, 283; Redlich, *Kirchenpolitik*, Vol. 1, 9*.

8 See e.g., Redlich, *Kirchenpolitik*, Vol. 1, 2*; Mikat, 283–309. See also ch. 3.

9 About the gravamina, see p. 185–189. Luther writes in the *Letter to the Christian Nobility* in § 4 of the gravamina, "Therefore, the terrible corruption by officials must be forbidden in all dioceses, so that they only deal with matters of faith and virtues, but leave everything concerning money, possessions, body and honor to secular judges." Martin Luther, *An den christlichen Adel deutscher Nation von des christlichen Standes Besserung* (1520), in: WA, Vol. 6, 404–469, at 430. See also ibid., 445, about abuses through excommunication and interdiction.

10 See Johanek, "Bischof," 94–102; ABKG, LIX–LXII with examples in the annotations about the minutes of the Naumburg negotiations in 1500, see below, section 2; Wießner, Vol. 1, 247–254; Diestelkamp, "Geistliche Gerichtsbarkeit," 214–234.

In view of the tangible interests on the part of the territorial governments, one might be inclined to regard this kind of criticism as a mere pretext, but we should note that the complaints frequently came from the princes' subjects, who cannot be accused of having had power-political motivation. The subjects' complaints were, however, seldom as fundamental as the Gravamina. They were very concrete, and concerned specific ecclesiastical judges and ongoing court proceedings. The widespread criticism of the church court system was thus a criticism of individual abuses, not of the system as such.[11]

Many of these complaints were addressed to the territorial sovereign. For example, the inhabitants of Zschaitz near Döbeln complained to Duke George in 1509 that the interdict had been imposed on them because of the presence of the excommunicated nobleman Hans Kertzsch. The peasants argued that they had nothing to do with the financial debt that had led to Kertzsch's excommunication.[12] Not only was the proportionality of the interdict questionable, it was also doubtful whether the ecclesiastical sanction was legitimate, since Pope Boniface VIII had prohibited the excommunication of defaulting debtors as long ago as 1302.[13] The motives that led the subjects to make such complaints can be seen in the petition that the inhabitants of Nehsdorf addressed shortly after Easter 1507 to George, who was also the patron of the parish church of Saint Catherine in Nehsdorf.[14] They complained that the illegitimate interdict imposed by the episcopal official in Meissen meant that they "could not receive the holy sacrament at this Easter feast together with other believers in Christ." They asked Duke George for a quick and temporary suspension of the excommunication, in order that "we may receive the Body of the Lord in these holy days according to the precept of the church."[15] Religious motives such as this are found very frequently in the complaints about the

11 A recent study on Switzerland gives evidence that, despite individual criticisms, there was fundamental approval of ecclesiastical jurisdiction by people in the countryside. See Albert, 335–340.

12 See correspondence between Duke George and Christoph von Betzschitz, official general at Stolpen, June 5–August 14, 1509, loc. 8983/11, fol. 15–18 and cop. 110, vol. 158v, 187r, 191v.

13 Too frequently used, bans could be ignored, a fact mentioned, for example, in the *Reformatio Sigismundi*. See Hashagen, *Staat und Kirche*, 320; Johanek, "Bischof," 99.

14 An entry in the duke's presentation book of 1518 proves George's patronage rights "*ad ecclesiam parochialem sancte Katharine in villa Negesdorff Misnensis diocesis*." Duke George's presentation to the archdeacon at Nisan, Dresden, February 27, 1518, loc. 7437/6, fol. 14r.—Nehsdorf (Nehesdorf, Negesdorf) near Finsterwalde actually belonged to the archdeaconry of Lower Lausatia, Sedes Kirchhain. See Blaschke/Haupt/Wießner, 28.

15 Petition by the community of Nehsdorf to Duke George, April 11, 1507, loc. 8983/11, fol. 12r; see also the further correspondence ibid., fol. 1–12.

ecclesiastical courts. They were prompted by the obstruction of church life that resulted from the sanctions of the ecclesiastical judges. In the eyes of the laity, the church's legal praxis threatened the most central tasks of the church: administering the sacraments, from the Eucharist to funerals, and preaching the Gospel. In 1520, the bailiff of Delitzsch made the following report about the priorities of the parish priest of Delitzsch, who was also active on behalf of the archbishop of Magdeburg as a church judge: "Every Sunday, as a rule, there is so much citation, admonition, complaint, counter-complaint, and counter-participants of the diabolical work read aloud from the pulpit that, in the end, the holy Gospel is scarcely ever preached."[16]

Complaints of this kind found open ears in princes such as Duke George, and, as we shall see, they also led to energetic action, since they touched on one of the leitmotifs of his commitment to church reform, namely, the salvation of his subjects' souls. In addition to the structural conflict in terms of constitutional history, the religiously justified desire for a reform of the ecclesiastical court system emerges as an independent motivation for his action. It is scarcely necessary to underline the explosive nature of complaints about the failure to preach the Gospel, especially when these were raised in 1520 in a town that was only one day's journey from Wittenberg. Duke George was convinced that it was problems like these that gave nourishment to the laity's anger at the church and opened the doors wide to the Reformation.[17]

2 Minimizing the Influence of Ecclesiastical Courts

Duke George's politics vis-à-vis the church courts was closely aligned with the fifteenth-century tradition of Wettin reform. His activity followed established strategies in dealing with the ecclesiastical organization of justice, the limitation of its sphere of activity, on the one hand, and control over its activity on the other.[18] The principal addressees of these politics were the bishops in the Wettin territory, and also the archdeacons, because these two levels of the hierarchy had autonomous jurisdictions that occasionally competed with one another. In this context, the administration of justice by papal delegates—for which, in the case of Saxony, the services of the provost of Saint Thomas' church in Leipzig were regularly used—was basically irrelevant, because the

16 Letter from Georg von Bendorf, bailiff at Delitzsch, to Duke George, September 24, 1520, ABKG, Vol. 1, 134–136.

17 See ch. 24.

18 See ch. 4, section 3.

legal mandate of the *iudices delegati* had a different structure, and was restricted to specific individual questions.[19] Summonses before the papal curia were common among clergy regarding disputes about benefices, but they were exceptional in secular cases. When clerics who had contacts to Rome sought to obtain such a summons, as had George's former procurator Günther von Bünau zu Schkölen in 1509, the prince endeavored to prevent this.[20] It is only in questions of matrimonial law that we can see a positive reference by the territorial administration to the system of papal dispensations.[21]

The bearer of the episcopal and archidiaconal jurisdiction was the official. A mandate entrusted him as *iudex ordinarius* with the exercise of jurisdiction. In other words, he exercised the jurisdictional power of the bishop or the archdeacon as his representative; the appointment was usually for life. In his activity, which was sometimes extended to include administrative tasks, the official was supported by a small office known as the officialate. Bishops could also issue mandates to several persons. For example, in the Thuringian part of the archdiocese of Mainz, the Bearer of the Seal in Erfurt (this was the title of the first officer in the officialate) exercised the archiepiscopal jurisdiction as the representative of the general official.[22] The prince's attitude to the

19 Along with his jurisdiction at the curia, the pope delegated his function *in partibus* to judges commissioned to deal with specific cases. A widely used form of delegated papal jurisdiction was the appointment of conservators, who were assigned to protect certain ecclesiastical institutions. See Johanek, "Karolina," 188–202; Herde.—Some examples from Saxony: In 1507, Pope Julius II appointed the provost at St Thomas's in Leipzig, the dean at St Mary's in Erfurt and the choirmaster at St Peter and Paul's in Naumburg to preserve the rights of Meissen's cathedral chapter (see Pope Julius II's bull, Rome, July 18, 1507, CDS, II, Vol. 3, 322). It is likely that this moved the provost from St Thomas's to mediate the dispute between the chapter and Bishop Johann VI in 1508. (See p. 208). In 1514 the bishops of Meissen and Merseburg, and again the provost from St Thomas's were assigned as delegated judges to the case of an offense against the papal privilege for the Leipzig fair. (See Pope Leo X's executoriale, Rome, December 8, 1514, Müller, *Privilegien*, 42–44). See also n. 40.

20 Bünau, who summoned his cousin Heinrich to Rome regarding an inheritance matter, was encouraged to seek justice before Duke George instead. See Duke George's letter to Dr. Günther von Bünau [zu Schkölen], Dresden, April 26, 1509, cop. 112, fol. 62r.

21 This is shown in the duke's files regarding marital jurisdiction. While the relationship of the local ecclesiastical judges in marital issues considered *mixti fori* were marked by competition, Duke George made use of the possibilities of the papal penitentiary in his decisions. In a 1527 marital arbitrament by the duke, it was stipulated that one of the parties should seek a papal dispensation in Rome. See the city council of Langensalza's letter to Duke George, Langensalza, January 25, 1528, loc. 7444/6, fol. 60 f.

22 See Trusen, "Offizialat"; Lück, 63–69; Hannappel, 146–209.

officials was not hostile *a priori*: on the contrary. In regions where the secular territorial rule was weak, he drew on local officials who could be reached to support the government. For example, the (Bohemian) provincial governor of Lower Lausatia and Duke George both made use of the official of the archdeaconry of Lower Lausatia, who resided in Lübben as a temporary representative in secular legal matters, an agent who issued certificates, and as someone who could draw up documents.[23]

As functionaries of the ecclesiastical court system, the officials were the objects of the prince's strategy of control. First of all, however, we shall look at the other strategy, the attempt at a fundamental restriction of the ecclesiastical courts. The addressees here were the bishops and archdeacons, the bearers of the church court systems, as we see from the minutes of the first negotiations of this kind that Duke George arranged. These were conducted on July 14, 1500 by counselors of the two Wettin lines "with those sent by the bishops of Merseburg, Meissen, and Naumburg, together with the archdeacons of their dioceses."[24] The Wettins had already endeavored in the fifteenth century to reduce the size of the church court system by means of papal privileges and negotiations with the bishops. Agreements had been reached, but their observance left much to be desired. The negotiating parties had been the Ordinaries of Mainz, Magdeburg, and Halberstadt; although their sees lay outside Wettin lands, their dioceses were contiguous with Wettin territory.[25]

Duke George had revived this tradition in the first years of his reign, but did so again with reference to the three Saxon dioceses in his territory: Meissen, Merseburg, and Naumburg. This shift can be understood only against the background of the political context. In 1498, he had made the project of a common law code the topic of a joint Wettin State Diet in Naumburg. Calls were made for the reform of lay piety, and the "heavy burden of the ecclesiastical court system," which was causing upheaval among the subjects of the realm. The draft law combined moral criticism of the ecclesiastical courts (the imposition of fines rather than spiritual penances would not avoid sins, but rather perpetuate them)[26] with demands that were already well known: the church

23 See Lehmann, *Lausitz*, 190–196.

24 See the minutes of the council meeting at Naumburg on July 14, 1500, loc. 14950, "Konzepte […]," 1474–1525 (unpag.), fascicle "1502." See also ABKG, Vol. 1, LVI–LXII.

25 See ch. 4, section 3.

26 "[…] where sins are punished with fines, they will increase and not decrease." Draft of a common Wettin law code [prior to July 9, 1498], loc. 14950, "Konzepte […]," 1474–1525 (unpag.), as position no. 2 in fascicle "1502"; edited from other material by Burkhardt, *Landtagsakten*, 35–40.

courts were not to try any secular cases, and in particular, they were to steer clear of procedures "about debt" (that is to say, claims for money). In order to enforce these reforms, the draft pleaded for negotiations with those "ecclesiastical judges who exercise spiritual constraint on Your Grace's subjects."[27]

These demands were enthusiastically welcomed by the Estates of the Naumburg State Diet. The Saxon bishops, who were represented at the Diet, declared themselves willing to negotiate—clearly under pressure. At any rate, they were the only negotiating partners thereafter, although George's draft had, in fact, spoken of all the ecclesiastical judges, thereby including the bishops outside his territory.[28] In April of the following year, the counselors of both lines planned the negotiations with the clergy,[29] which were to begin on June 17, 1499, and drew up a comprehensive list of "defects in the ecclesiastical system." The influence of this list can be found in the Gravamina of Worms in 1521.[30]

The contents of the agenda that the prince's counselors presented in Naumburg on the Tuesday after Saint Margaret's day in 1500 were based substantially on the 1499 list of Gravamina. The procedure seems to have been circuitous, because it began by exhorting both parties to cooperate in the reform of the laity, and then demanded the reform of the secular clergy itself.[31] Once again, however, we find here the context of the project of a territorial law code, and it becomes clear that Duke George understood the reform of the various levels of church and society as one single undertaking. Improvements in the various areas of reform seemed reciprocally dependent, such as in moral conduct, where "the clergy" were "not to give the laity bad examples."[32] Similarly, the 1498 draft of a territorial law code had argued that the church court system must be reformed because of the laity's outrage at the abuses in the ecclesiastical administration of justice.

The prince's counselors then formulated, in no particular order, their complaints about the church court system: the imposition of the interdict on entire archdeaconries when a priest was murdered; the summoning of laypersons in

27 Ibid.

28 See p. 402–409.

29 See the minutes of the council meeting of both Wettin family lines at Naumburg, April 29, 1499, Burkhardt, *Landtagsakten*, 42–46, there with an incorrect title "Landtag zu Naumburg." See also p. 402–409.

30 See "Gebrechen, so inn geistlicher ordnung stehn" [prior to June 17, 1499], with incorrect title, edited in: Burkhardt, *Landtagsakten*, 46–49. About its effects, see p. 185–189.

31 See "Gebrechen," 1499 (like n. 30); Minutes of the council meeting at Naumburg, 1500 (like n. 29). See also ABKG, Vol. 1, LV–LXII.

32 Minutes of the council meeting at Naumburg, 1500 (like n. 29).

secular cases; the hasty introduction of trials for adultery "when evil rumors appeared"; the costs of sealed formal letters (*membrana*); disregard of the principle of *praeventio* in "cases that are *mixti fori*";[33] excessive punishment of mothers whose babies were stillborn or died in infancy (this was connected to the problem of abortion); the preferential imposition of fines instead of works of penance; the renting out of the courts to officials (who had financial interests in the use of pecuniary rather than penitential punishments); and the unnecessary use of professional ecclesiastical judges (*conservatores*) even in the lower church courts.[34] The core of this unsystematic list was summed up concisely at the close of the document: the Wettins demanded that the church courts stop trying purely secular cases, and that abuses in the ecclesiastical administration of justice be removed.[35]

Despite the intensive preparation by the Wettins, however, the outcome of the negotiations was very meager. The Saxon clergy rejected all the accusations and only promised that the priests would be admonished at the yearly synods. In any case, they claimed, no agreements could be made without the archbishops of Magdeburg and Mainz. In their frustration, the Wettin counselors noted at the end of the minutes "that this day ended fruitlessly."[36]

Duke George had taken the path of exclusive negotiations with the bishops who belonged to the Estates of the realm and with their archdeacons in the context of the project of a territorial law code, but this had proved to be a blind end. The exclusion of the archbishops of Mainz and Magdeburg, who were affected just as much as the Saxon bishops, made it easy for the latter to take evasive action; it is clear that the idea of pulling the carpet out from under this blockade mentality through negotiations with Archbishop Ernst of Magdeburg and the cathedral chapter in Halberstadt never got beyond the initial planning stages.[37] Besides this, the increasing divergence of views between

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33 According to the principle of *Praeventio,* in the *Causae mixti fori*—the equally claimed cases of secular and ecclesiastical jurisdiction rights (e.g. marital issues)—jurisdiction lies with the authority first engaged in the case. This is to avoid multiple punishments. See Lück, 52 f.

34 Minutes of the council meeting at Naumburg, 1500 (like n. 29). Vgl. auch ABKG, Vol. 1, LV–LXII.

35 [...] for this reason we inform you [...] about our lord's wishes, that you should not attempt to summon or justify secular cases before your ecclesiastical courts, and never misuse your rights of ecclesiastical jurisdiction. " Minutes of the council meeting at Naumburg, 1500 (like n. 29).

36 Ibid.

37 A few months after the Naumburg council meeting, Duke George requested that the Sangerhausen city council (Halberstadt diocese) write up gravamina for negotiations

the Ernestines and the Albertines around 1500 lessened the pressure on the bishops. The second draft of the territorial law code, written in 1502, did indeed draw consequences from the meeting in Naumburg, when it stipulated that the prince would forbid laypersons from appealing to the ecclesiastical courts in secular cases; this provision, however, never acquired the force of law.[38]

The Wettins thus found it impossible at this time to obtain a reduction of the ecclesiastical jurisdiction via negotiations. It was only during the Reformation period that negotiations with the local bearers of the church court system were resumed. In the following years, accordingly, Duke George consistently pursued the other path that had been laid out in the fifteenth century: the acquisition of papal privileges. Here, he was certainly successful, as in the confirmation of the *privilegium de non evocandis subditis* and the appointment of papally delegated judges who were to ensure that this was observed.[39] Duke George demanded in 1512 that the provost of Saint Thomas' in Leipzig, as the "supreme *conservator*" appointed by the pope, should protect the Albertine subjects from being oppressed with demands from other papally delegated judges outside his territory, and also before the (secular) vehmic courts in Westphalia.[40]

Where, however, George sought to obtain more than his predecessors, Rome proved utterly unyielding, as we see in the failure of the revolutionary Peraudi program.[41] Here, the two conceptual approaches of territorial politics—the reduction and control of the ecclesiastical court system—are combined. The motif of limitation prompted the demand that the prince and his court be exempt from excommunication. This had most recently been granted to the

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with the Archbishop Ernst of Magdeburg (as administrator of Halberstadt) and the Halberstadt cathedral chapter. George agreed with Archbishop Ernst to a "friendly negotiation of the disagreements about the ecclesiastical jurisdiction" that should take place in Merseburg. The sources are silent as to whether this actually occurred. See Duke George's letter to the Sangerhausen city council, Dresden, December 18, 1500, cop. 106, fol. 164r; Letter from id. to Archbishop Ernst of Magdeburg, December 29, 1502, ibid., cop. 108, fol. 159r.

38 See p. 402–409.

39 Günther von Bünau achieved the signing of a petition to the pope addressing these issues in 1504–1505. See Dr. Günther von Bünau's [zu Schkölen] report to Duke George [1505/06], ABKG, Vol. 1, LXIII, n. 1 and LXIV f.

40 As foreign "Roman conservators" or delegated papal judges, George named the abbot of the Schotten monastery at Erfurt, the abbot of St Peter's at Merseburg, the provost at St Moritz's near Naumburg and a dean and official at Magdeburg. Duke George's letter to the provost at St Thomas's at Leipzig, September 4, 1512, cop. 116, fol. 272r.

41 See also ch. 11, section 2.

Wettins by Pope Sixtus IV in 1481.[42] George also hoped to get control through the institution of a "commissioner against the *conservatores*"; that is to say, a papally delegated judge who was to review the decisions of the local ecclesiastical judges.[43] Finally, the Duke dared to ask for the appointment of an ecclesiastical judge who would be dependent on the prince himself. He would sit in judgment on secular clergy who were guilty of crimes, thereby promoting the reform of the clergya process that lenient ecclesiastical courts had delayed. This would have been an ecclesiastical court dependent on the prince and that seriously called into question the authority of the bishop;[44] however, George's requests to Peraudi achieved nothing. The same is true of the proposal he made two years later suggesting that the ecclesiastical court system in his model foundation of Annaberg should be restricted. Pope Julius II is said to have torn up the latter petition with his own hands.[45]

3 Controlling Ecclesiastical Courts

In addition to the negotiating table, Duke George's day-to-day political business was determined by the endeavor to control the ecclesiastical administration of justice. In quantitative terms, it is scarcely possible to overestimate this second pillar of territorial church politics. If we take the missives of the Privy Council as our criterion, there was no other matter of church politics that preoccupied the Albertine governing body before the Reformation as strongly as the subject of control over ecclesiastical courts. One essential presupposition of George's activity was the prominent position of the Wettin government, which compelled even the ecclesiastical institutions to practice political deference. This is why no excommunication or interdict was imposed on the Wettins by the local church from the fourteenth century onwards, even when they took action against church courts.[46] The only exception to this rule, the

42 See Gess, *Klostervisitationen*, 46, n. 2.

43 Gess, *Klostervisitationen*, 46; see also ABKG, Vol. 1, LXIII.

44 See also ch. 11, section 2.

45 See Bünau's report, 1505–1506 (like n. 39).

46 See Wiessner, Vol. 1, 252.—The Wettins were assured by a papal privilege exempting them from episcopal jurisdiction, which was obtained from Pope Sixtus IV in 1481. Duke George made unsuccessful efforts in his negotiations with Cardinal Peraudi to have this confirmed. See Gess, *Klostervisitationen*, 46 with n. 2.

interdict against Dresden in 1509, merely demonstrates the exceptional harshness of the conflict between Duke George and Bishop Johann VI of Meissen.[47]

The territorial government made use of direct and indirect control mechanisms. Indirect controls were established via territorial legislation since, although the officials remained exempt from this legislation, the prince was able, by means of mandates, to regulate the behavior of his subjects and vassals towards the church courts. The parish priests, who the secular government treated as subjects with "spiritual feofs," played key roles here.[48] The principal concern in this area was the monopoly of the secular administration of justice on the treatment of purely secular disputes, while canon law laid no claim to jurisdiction over the persons and matters involved. Duke Wilhelm III had already taken this path in his law code of 1446 and the *Reformatio Wilhelmi* of 1454/57,[49] and Duke George sought both to remind people of the relevant prescriptions and to intensify them. In addition to the passages of the draft law codes of 1498 and 1502, mentioned above, the two Wettin lines jointly issued a mandate on August 4, 1490 that renewed the prohibition against laypersons having recourse to the ecclesiastical court in secular matters. This raised the fine considerably from the three-score groats imposed by Wilhelm III to ten florins.[50] The two lines re-enacted the *Reformatio Wilhelmi* at a meeting

47 Bishop Johann did not risk trying to personally excommunicate Duke George. Instead, he imposed an interdiction upon Dresden, the duke's city of residence. This was done because George had offended against the *Privilegium fori* by arresting a lawbreaking priest. The interdiction also stopped divine service in the castle chapel, since the papal privilege of exemption was remembered, but proof could not be found in the ducal chancellery. The Leipzig arbitrament of 1511, which settled the conflict between Johann and George, prohibited the bishop from enforcing ecclesiastical punishments against the ducal court. However, it also recommended that the prince try once again to obtain a papal exemption. See the letter from the Dresden governor Dr. Nikolaus von Heinitz, Dresden, December 18, 1508, cop. 110, fol. 274v; Arbitrament award by Dietrich von Schleinitz the Elder, Hermann von Pack, Dr. Johann Hennig and Dr. Nikolaus von Heinitz, Leipzig, November 13, 1511, O.U., no. 9920 (Regest: CDS, II, Vol. 3, 325 f., the corresponding edited passage: ABKG, Vol. 1, LXVI, n. 2) and see ch. 8, section 1.—George also used his triumph in the power struggle with Johann VI to add pressure to his demand for limiting ecclesiastical jurisdiction. The arbitrament obligated the bishop of Meissen not to summon any of George's subjects "in matters that were not relevant to ecclesiastical courts" (ibid.) before the ecclesiastical forum. Considering the widely varying concepts about the meaning of ecclesiastical jurisdiction, this was indeed diplomatically formulated.

48 See also ch. 11, sections 4 and 5.

49 See ch. 4, section 3, and see e.g. Lück, 74 f.

50 See the mandate from both Wettin family lines, August 4, 1490, Goerlitz, 489 f., partially edited: ABKG, Vol. 1, LIV, n. 2.

of counselors in Zeitz in 1516, although this (in accordance with its original validity) probably applied only to Thuringia. Here too, a codicil intensified the original regulation that ecclesiastical court messengers who were caught transmitting secular cases were to be imprisoned and released only after payment of one guilder.[51] Duke George referred to both of Wilhelm's ordinances, "the territorial legal code and reformation [...] in the land of Thuringia" in 1511, when he explained to the Imperial city of Nordhausen why a citizen of their town had been imprisoned by the zealous *Amtmann* Sittich von Berlepsch in Langensalza, although only a fine was expected for those accused of appealing secular cases to ecclesiastical courts (as in the present instance).[52]

The attempts at a direct influence on the ecclesiastical administration of justice were even more frequent. What had been sporadic attempts under former Wettin rulers developed under Duke George into a programmatic component of the prince's politics. The individual instances are legion; combined, they form a picture of a systematic surveillance of the church courts.

The spectrum of the arguments that Duke George employed to justify his interventions is almost as large as the number of cases themselves. The essential patterns of justification are both juridical and moral.

Duke George even adduced canon law as an argument, where it supported his legal position. For example, he reminded officials that certain cases, such as those involving marriage, were regarded as *delicta mixti fori*, which the secular and the ecclesiastical courts were equally competent to try. This was linked to the principles of *praeventio* (the exclusive competence of the first court that took action) and *ne bis in idem* (the avoidance of a double punishment of one and the same offense). The prince's intervention mostly aimed at putting a stop to the ecclesiastical proceedings, which had begun after the secular trial.[53]

It was more common for the prince to appeal, in his juridical argumentation, to secular legal positions that the ecclesiastical side shared either not at all or only partially. This applied to the prince's claim to a monopoly on all the cases where the object of the trial and the opposing party were secular. Duke George rejected the broad definition in canon law of the group of persons

51 See ABKG, Vol. 1, LIV, with n. 2.

52 Duke George's letter to the Nordhausen city council, [Dresden] April 11, 1511, ABKG, Vol. 1, LV, n. 1.—Berlepsch himself was specifically praised for his actions. Because the people of Nordhausen "were unaware of our reformation," George decided to free the citizen after he took an oath of peace. (Duke George's letter to Sittich von Berlepsch, provost at Langensalza, [Dresden] April 11, 1511, cop. 112, fol. 159v–160r).

53 See e.g. Duke George's letter to the abbot at Pegau, November 6, 1516, ABKG, Vol. 1, LIX, n. 1; Duke George's letter to Cardinal Albrecht, Leipzig, April 12, 1516, cop. 125, fol. 80r.

entitled to the ecclesiastical *forum.* Thus, he refused the claims of widows and students in Leipzig to ecclesiastical trials.[54] He also regarded matters of debt as secular objects of dispute that he himself had to decide, even when one of the litigants was ecclesiastical, a position that went against the regulation in canon law.[55] However, the *privilegium fori* was always respected when a cleric was accused in criminal matters.[56] George also regarded his secular court as competent where fiefs or liegemen of the prince were involved,[57] and in ecclesiastical property in general, even when the disputing parties were ecclesiastical.[58] The territorial jurisdiction also laid claim to matters concerning wills, marriage, and fornication, and extended even to consecrated places, such as cemeteries.[59]

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54 About the interpretation of canon law, see above, section 1. About George's position, see e.g. Duke George's letter to Archbishop Ernst of Magdeburg, [Dresden] October 19, 1509, cop. 111, fol. 20r; Duke George's letter to the University of Leipzig, Dresden, March 28, and April 11, 1515, cop. 119, fol. 256, 275v.

55 The case of the Annaberg bailiff, Albrecht von Schreibersdorf, illustrates the matter. He was sued by a priest before the ecclesiastical court because of debts. However, George forbade issuance of the summons by the Annaberg parish priest. The duke's intervention was justified to the official by his governors "because this order from His Grace is well founded, since it is not appropriate for you as an ecclesiastical judge to conduct a trial or issue a mandate regarding secular matters or secular persons without taking heed to the secular judge," (letter from Duke George's governors to the official general at Stolpen, Dresden, October 14, 1510, cop. 115, fol. 86). About the case, see also section 3 below.

56 Even when a mercenary in the pay of outlaw knights was captured in Döbeln in 1511, George ordered him investigated and, if necessary, to be given over to the official at Stolpen since the man claimed to have a "primam tonsuram" and to be a priest. (Duke George's letter to the bailiff at Döbeln, [Dresden] April 8, 1511, cop. 116, fol. 119r).

57 Corresponding justifications were, e.g. "Because the man in question, von Hermestorff, is enfeoffed to myself and his possessions are domains of the gentry, and are under my authority and fief."(Duke George's letter to Bishop Johann VI of Meissen, January 4, 1495, cop. 105, fol. 72r). George reacted to the petition from Ernst Schmalstieg quoted below with an assignment to Sittich von Berlepsch to investigate whether, "he [Schmalstieg] is our vassal, or relative, or also, as he says, the conflict concerns possessions under our authority," and thus a reason existed to remove the case from an ecclesiastical judge. (Duke George's letter to Sittich von Berlepsch, bailiff at Langensalza, Dresden, September 12, 1513, loc. 8200/9, fol. 3).

58 Wilhelm III had already made claims to jurisdiction over ecclesiastical possessions. See Diestelkamp, "Geistliche Gerichtsbarkeit," 224, n. 38. About George, see e.g. Duke George's letter to the chamberlain at Stolpen, February 25, 1495, cop. 105, fol. 99v.

59 See e.g. the minutes of the arbitration by Götz vom Ende, bailiff at Pirna, and the Pirna city council, Pirna, August 12, 1498, CDS, II, Vol. 5, 480 f. (testament related matters); Duke George's letter to the Chemnitz city council, Dresden, January 16, 1510, CDS, II, Vol. 6, 409 f.

Alongside the juridical legitimation of the interventions by the prince, which disputed the competence of the ecclesiastical courts, the moral argumentation criticized the decisions of the church judges. As shown above, the prince's involvement often appears as a direct echo of the complaints by his subjects.[60] A contrast is drawn between the negative evaluation of the ecclesiastical courts or of the moral discipline of the clergy, on the one hand, and the positive goal of the eternal salvation of the prince's subjects, providing sacraments for them and shielding them from excommunication, on the other. For example, George demanded that the cathedral chapter in Meissen revoke the interdict that had been imposed on three districts under the care of archpriests immediately after the murder of a priest, "in order that the poor people may not fail to be provided with sacraments, since it is known [...] that the priest coerced the women and gave cause for [his murder]."[61] In 1517, he accused Caspar von Salhausen, the schoolmaster of the chapter in Meissen and an old partisan of Johann VI, of upholding, out of sheer greed for financial gain, an interdict that lacked any objective justification.[62]

On occasion, George went as far as to call into question the moral basis of canon law itself. For example, he criticized in harsh terms the imposition of the interdict on the above-mentioned village community of Zschaitz because of the temporary presence there of the nobleman Hans Kerztsch zu Wunschwitz, who had been excommunicated for debt, although—as the official pointed out in his attempt to justify his action[63]—there was no doubt about the legal admissibility of this action. George regarded "the imposition of such a heavy, unchristian load" on the community, "so that it is deprived of all the sacraments and of burial" because of the guilt of one individual, as an unchristian injustice, because it was an offense against the church's task of pastoral care. He demanded categorically (and successfully) that the bishop's general official "remove such an interdict, and proceed only in a legal and proper manner

(crime committed in a cemetery). About marital and sexual offences, see below, section 4 and p. 413–415.

60 See above, section 1.

61 Duke George's letter to the Meissen cathedral chapter, February 15, 1495, ABKG, Vol. 1, LVIII, n. 1.

62 See Duke George's letter to the Meissen cathedral chapter, Dresden, September 4, 1517, ibid., 22 f.

63 See the letter from Christoph von Betzschitz, official general at Stolpen, to Duke George, Stolpen, June 6, 1509, loc. 8983/11, fol. 16.

against those who have incurred guilt in this matter and are involved in it. You should not be so quick to impose your unjustified church sanctions."[64]

From a functional perspective, the moral criticism of the conduct of the ecclesiastical courts served as leverage to consolidate control by the territorial authority even where there was no doubt about the formal competence of the church court system. The goal of the intervention was the revocation of summonses, excommunications and interdicts, as well as of financial penalties; it did not usually aim at the transfer of the case to secular courts. Precisely this last point shows that it was not only a question of competence, but rather of substantial political aims: i.e., of the prince's ideas about church reform. In George's eyes, the church's mission was to provide his subjects with pastoral care and the sacraments. It was to be primarily an institution of salvation, not a judicial authority.

The French *recursus ab abusu* was a parallel to the Albertine church governance's claim to control. From the mid-fifteenth century onward, the kings of France had claimed the right to have unjust verdicts of ecclesiastical judges overridden by secular parliaments, and they employed the suspension of temporalities as a means of exerting pressure. The reception of Roman law, with the strong position it gave the secular power in ecclesiastical questions, lent support to this position, and even the pope was forced to give his consent in the concordat of 1516.[65] Saxony, of course, never came anywhere close to establishing a legal institution of this kind; a claim was never explicitly formulated by the prince, and even a name for the institution was lacking. In terms of content, however, the prince's interventions were comparable to the French procedure.

The strategies of action that the prince employed to gain influence on the ecclesiastical courts varied greatly. The spectrum went from cooperative integration of the church court system to territorial administration of justice to the confrontational demand that verdicts and sanctions be revoked. It is scarcely possible to identify connections between particular arguments and forms of intervention, but it is noticeable that moral criticism was often used to justify direct pressure on the officials and complaints to the bishops, while juridical argumentations were often used to justify demands that cases be transferred to secular authorities. The state of our sources means that evidence of the success of specific measures is available only in a few instances, as there was no need for further missives once the ecclesiastical judge had yielded to the prince's

64 Duke George's letter to the official general at Stolpen, Dresden, June 5, 1509, cop. 110, fol. 158v.

65 See Eichmann; Plöchl, Vol. 2, 349.

demands. In addition to the demonstrable instances of success, however, the persistence with which George reacted to resistance on the part of the officials, and to further complaints by his subjects, as well as to the routine application of particular solution strategies (which clearly were successful), justifies the assumption that in many cases the prince was able to obtain the solution he desired.[66]

As shown above in the case of Zschaitz, direct contact with the ecclesiastical judge was sought to obtain the revocation of decisions, or the removal or suspension of excommunication and interdict. One variant was a complaint addressed to a man who possessed jurisdiction, or, less frequently, to the bishop as the highest supervisory authority. For example, George complained to Adolf of Merseburg in 1520 about the archpriest in Leipzig, who was summoning citizens before his ecclesiastical court to be heard in secular matters.[67]

The transfer of a case from the ecclesiastical court was the second important strategy of intervention. The church judge was informed of why the matter should be brought before the secular court, and was given the name of the secular judge to whom the matter should be handed.[68] A concerted procedure, putting pressure not only on the official but also on the litigator who accepted the official's jurisdiction, was the most promising move, as we can see in the legal dispute between the Leipzig burgher Caspar Reichenbach and Veronica Wegel, the widow of Mathes Wegel, a tanner and town councilor in Leipzig. George not only demanded that the dean of Saint Sixtus in Merseburg hand over the case to the "proper judge, since the persons and also the goods are secular"; he also warned the litigator, via the municipal council in Leipzig, that if Reichenbach did not abandon the ecclesiastical court case, the duke (in accordance with the ordinance of 1490) would "impose a punishment on him, as one who is disobedient."[69]

A more aggressive variant of bringing direct influence to bear upon the ecclesiastical court was the disruption of its lines of communication, obstructing

66 Certainly, an argument *e silentio* should be used with extreme caution. However, since no records from ecclesiastical authorities survived, we have to rely on the ducal missive books. About these records, see ch. 2, section 3.

67 See Duke George's letter to Bishop Adolf of Merseburg, Dresden, September 3, 1520, ABKG, Vol. 1, 131 f.

68 See e.g. Duke George's letter to the provost at St Moritz's near Naumburg, November 18, 1512, cop. 116, fol. 289v.

69 Duke George's letter to Bernhard Stilling, dean at St Sixti's in Merseburg, as subconservator of the University of Leipzig, and to the Leipzig city council, Dresden, August 17, 1511, cop. 116, fol. 164v–165r.—About Veronika Wegel the person, see Steinführer, *Leipziger Ratsbücher*, Vol. 2, 632.

the court messengers and putting pressure on the parish priests, from whose pulpits (as shown above in the case of Delitzsch) summonses and church sanctions were announced to the people; it was only through the words of the priests that these became effective. The most potent leverage of secular power was the suspension of temporalities. George put into practice the relevant ordinances, which had first been formulated by Wilhelm III.[70] The ecclesiastical party was very vulnerable on this point, as a report by Heinrich Horn, official in Halberstadt, admits. He asked Duke George to "grant gracious protection and cover to the court messengers of His Grace the Elector [Cardinal Albrecht] and of the lord archdeacon [...], for otherwise it is difficult to uphold the *iurisdictio*."[71] A case from Annaberg throws light on George's influence on the parish priests. When Albrecht von Schreibersdorf, the *Amtmann* in Annaberg, was summoned before the ecclesiastical court by the general official of Meissen over a matter of debt, George instructed the parish priest in Annaberg that "if you are informed and entrusted with the news that he [Schreibersdorf] is to be tried by the ecclesiastical judges, you are not to announce this, but are to direct the litigators of both parties to come to Us."[72] After lengthy endeavors, the frustrated official finally decided to excommunicate the disobedient priest himself. The latter, however, entrusted himself to the protection of the prince, who brusquely told the official that the parish priest had acted on his instructions, "since you are not competent to judge in secular matters such as debt."[73] A further letter put even more pressure on the intransigent official in the form of an ultimatum: he was to give the prince's messenger the parish priest's absolution from his excommunication.[74]

The prince's influence was not restricted to confrontation; it also encompassed various forms of cooperation. For example, the continuous friction between the two sides did not prevent Duke George from appealing on occasion to the church courts. His interest was not, of course, in the competence of the ecclesiastical judges to make legal findings; he wanted to make use of their spiritual sanctions in order to lend force to the findings of the secular courts.

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70 See ABKG, Vol. 1, LV; Duke Johann the Younger's mandate to all officials [Sangerhausen, February 2, 1522], ibid., 263.

71 The report by Heinrich Horn, official at Halberstadt [ca. 1530–1545], Diestelkamp, "Geistliche Gerichtsbarkeit," 259–261; for further evidence about the duke's attempts to block ecclesiastical proceedings, see Diestelkamp, "Geschichte," 322, 333, 336.

72 Duke George's letter to [Master Wolfgang Messerschmidt,] the parish priest at Annaberg, January 27, 1509, cop. 110, fol. 67v.

73 Duke George's letter to the official general at Stolpen, Dresden, May 6, 1510, cop. 116, fol. 31v. See also the letter from id. to id., Dresden, July 7, 1510, ibid., fol. 69v.

74 See the letter from id. to id., Dresden, October 14, 1510, cop. 115, fol. 86.

This is documented by two cases in 1495 and 1516. In the first case, the nobleman Hans von Bora refused to implement the provisions of his father's will, which had made an endowment in favor of the church in Neuenkirchen. After an initial attempt at a settlement between Bora and the churchwarden before Duke George's representatives failed to reach an agreement, the latter requested the official in Meissen "to cause Hans von Bora by means of the church courts not to impound his goods or those of anyone else without the consent of the clergy, until the matter is resolved."[75] In the dispute about fees between the community and the parish priest of Gersdorf in the *Amt* of Tharandt, an official was called upon in order to lend emphasis to the verdict of the secular court, which the parish priest was ignoring.[76] Duke George also sought close collaboration with the church courts in the matter of disciplining the lower clergy, where his hands were tied by the *privilegium fori*.[77]

The strategy of integrating ecclesiastical judges into the prince's administration of justice pointed in a different direction. In addition to his counselors and bailiffs, Duke George also entrusted officials with *commissiones* in the context of secular justice.[78] These tasks included the interrogation of witnesses where they lived, and collaboration in arbitration proceedings; less frequently, they were charged with the ordinary administration of justice "in place of my own court."[79] Duke George collaborated particularly closely with Hiob von

75 Letter from Duke George's governor to the official at Meissen, March 23, 1495, cop. 105, fol. 118r.

76 In this longstanding conflict, which revolved around the right measure to be used for in-kind payments, Duchess Zedena (inheritor of the Gersdorf estate) had already issued a decision prior to 1510 and had had it recorded in the church's missal. The parish priest, however, cut the decision out of the missal and resisted many of the admonitions from the duke's advisors and the archpriest at Dresden. The activation of ecclesiastical jurisdiction not only had the goal of disciplining the priest, it was also meant to prevent him from using the ecclesiastical court for his own purposes. Apparently, the official did not comply as expected, since Duke George turned to the Meissen cathedral provost, for whom the official worked. See Duke George's letter to the official at Meissen, Dresden, April 25 and May 20, 1516, cop. 123, fol. 71, 86; Letter from id. to the Meissen cathedral provost, [Dresden] June 30, 1516, ibid., fol. 107.

77 See p. 320–323.

78 About the duke's commissions, see Lück, 93–105; Goerlitz, 168–171; with a view to the Early Modern period: Blaschke, "Behördenkunde," 385 f.

79 See e.g. Duke George's letter to Niclas Heynemann, official [of the cathedral provost] at Meissen, Dresden, December 16, 1500, cop. 106, fol. 125r; Duke George's letters to the official and the castle governor at Meissen, [Dresden] December 17, 1502, cop. 108, fol. 151r; Duke George's letter to the provost at Zschillen, Schellenberg (?), September 2, 1500, cop. 106, fol. 30v, the quote there.

Dobeneck, provost of the commandery of Zschillen in the Teutonic Order and, as such, archdeacon of Zschillen and Rochlitz. Duke George was so favorably impressed by von Dobeneck's ecclesiastical administration of justice that he not only gladly left him to try ecclesiastical cases, but also appointed him his commissioner in secular trials. He even used von Dobeneck as a counselor and diplomat for a mission to King Maximilian.[80] This shows us once again that Duke George's attitude to the church's system of courts was not fundamentally negative. He wanted only to reform its range and its praxis.

One way out of the wrangling over competence between the secular and ecclesiastical fora was offered by the membership of church judges (or other clerics) in the commissions that were set up by the prince to resolve a specific legal dispute; the same procedure had proved its worth elsewhere, for example, in Württemberg.[81] Even ecclesiastical judges from outside George's territory who were largely immune to his influence, such as the Bearer of the Seal of Erfurt, could be integrated in this way into the prince's administration of justice.[82] Mixed bodies of this kind had the character of a compromise reinforced by their judicial activities: their principal task was to reach settlements acceptable to both parties. This cleverly avoided the minefield of the ultimately incompatible claims made by the two legal organizations, and the prince could note that wherever commissions enforced the law in his name, the ecclesiastical court system was being pruned back.[83]

In a variety of ways, therefore, Duke George exercised indirect control over the ecclesiastical court system in his territory. Although his claims did not always go unchallenged, one is struck by the extent of the supervision and direction that the Albertine government was able to practice in many instances. George's representatives were able to bring about, by means of simple

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80 See Duke George's seven letters to the provost at Zschillen, August 30-November 2, 1500, cop. 106, fol. 25r, 30Vv, 77r, 90r, 93v, 95v, 99v.—About Dobeneck's later career in service to Grand Master Friedrich of Saxony, see p. 197 with n. 87.

81 See Mikat, 289; Stievermann, *Landesherrschaft*, 234–240.

82 It was in 1495 when Bailiff Hans von Werthern found himself in a commission concerning ecclesiastical fiefs for the collegiate church in Bibra. See Duke George's letter to Hans von Werthern and the keeper of the seals at Erfurt, March 27, 1495, cop. 105, fol. 119r.

83 See e.g. Duke George's letters to Siegmund von Maltitz and the parish priest at Frankenberg, Dresden, March 16, 1509, cop. 110, fol. 102.—Arbitration proceedings were applied on all levels besides the regular jurisdiction. Duke George seemed to prefer it as the first choice in seeking a solution. This was because both parties accepted that pleading their case before a court would not be possible, thus circumventing the issue of conflicting jurisdictions. See Goerlitz, 168–171; Lück, 93–101; Volkmar, "Hofrat," 89 f.; about the other territories, see Mikat, 287; Stievermann, *Landesherrschaft*," 234–240; Sellert.

instruction, the transfer of a case in 1495 from an ecclesiastical court to another court.[84] Although George himself admitted in 1508 to the official in Meissen that one particular case "would be subject to the constraint of your church court," he nevertheless felt entitled to give official instructions about the course of proceedings, ordering him to confirm by return post that these instructions had been observed.[85] George profited both from the long tradition of Wettin church government in the field and from his own persistency.

4 Control Instead of Reform?

George's confrontation with the ecclesiastical court system was marked more strongly, almost more than in any other area of his church politics, by the Wettin reform tradition of the fifteenth century. The positions on both sides remained stable for generations; many people had learned to live with the structural conflict. George's accession to power brought no caesura, since experienced counselors continued the previous policies, and George learned from them. He also adopted from his predecessors, especially with recourse to Wilhelm III, the two strategies that guided his church politics in this field: the reduction of the competences of the church courts in favor of the secular administration of justice, and the consolidation of the prince's control over the ecclesiastical judicial system. These strategies represented two completely different approaches. The first aimed at diminishing the church's role in society by means of a secularization of jurisdiction, while the second aimed at extending the prince's control over the church itself. In his reduction of the ecclesiastical court system, the prince's government relied on contractual solutions; it was hoped that these could be achieved through negotiation with the pope or with bishops. Control over the church court system was achieved by an administrative process that occurred through pressure brought to bear on officials, bishops and archdeacons, and even on litigating parties.

84 The governors demanded that the provost of St Afra's at Meissen "give over to the appointed commissioner," the provost at Zschillen, the disputed case between the parish priest and a citizen of Mittweida, and were successful in doing so. See the letter from Duke George's governor to the provost at St Afra's in Meissen, July 5, 1495, cop. 105, fol. 177v, the quote there; see the letter from Duke George's governor to the provost at Zschillen, Dresden, August 22, 1495, fol. 206.

85 Duke George's letter to Jakob Lose, official at Meissen, [Dresden] November 24, 1508, cop. 110, fol. 37r.

The reduction of the ecclesiastical court system at which Duke George aimed sought, primarily, to enforce the monopoly of the secular courts on secular cases; otherwise, it had clear limits. The idea and form of the ecclesiastical court remained untouched, as did its exclusive competence for the *causae ecclesiasticae* and the *privilegium fori.* George consistently favored a clear separation between the ecclesiastical and secular legal spheres, which he called for at the Imperial Diet in Augsburg in 1518,[86] but the strategy of reduction met with virtually no success. The only result of the negotiations with the bishops and archdeacons was the perpetuation of mutual recriminations.[87] When George attempted to go beyond all precedents and break down the blockade mentality of the bishops by means of a new kind of papal privilege, it ended in utter failure.

The results of the second strategy of action were much more promising. Although the methods themselves were not new, the intensity of Wettin control over the church court system reached its zenith under Duke George, where it was much more strongly articulated than under his Ernestine cousin Friedrich the Wise during the same period.[88] It permitted the imposition of efficient influence over individual decisions by ecclesiastical judges. It also took a step towards reduction, since a partial integration of ecclesiastical judges in the territorial justice system meant the avoidance of a number of ecclesiastical trials. In structural terms, this procedure was reminiscent of the prince's supervision of the lower clergy; even when his influence was not acknowledged in principle, the prince was able—thanks to intensive day-to-day political activity, and with the aid of a personal infrastructure that included the local level—to build up a functioning church governance with a real power that ecclesiastical judges could not ignore. This influence was greater on the judges who resided in his territory than those outside the territory, as we see from the protracted disputes with the official of the provost at Neuwerk near Halle.[89]

Nevertheless, this path did very little to bring closer a fundamental solution to the structural conflict between the ecclesiastical and secular administrations of justice. A number of resisting factors barred the way to groundbreaking reforms: the officials' instinct of self-preservation, the lack of pressure the prince was able to exert in negotiations with the bishops, and finally, the interest of his subjects in bringing their cases before the church courts.

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86 See p. 183–185.

87 This is also the conclusion of Adolf Diestelkamp and Heiner Lück. See Diestelkamp, "Geistliche Gerichtsbarkeit," 227; Lück, 77.

88 See Kirn, 36–71, especially 69 f.

89 See ABKG, Vol. 1, passim.

The officials, who were equipped (like every bureaucracy) with a considerable degree of inertia, were fundamentally opposed to a reduction of the competencies of the church court system. There is no agreement among scholars about whether the officials usually had income from benefices or (as the Gravamina of 1499 allege) were obliged to earn their living, as tenants of the court, from fines; but this question is almost secondary.[90] The officials' interest in an extensive (and therefore very busy) church court system is indisputable. Their accommodation of the prince's demands was never more than a tactical measure forced on them by church governance. Accordingly, George blamed the officials more than the bishops for the "abuses" of the church court system.[91] But the bishops too had no interest in a reduction of the ecclesiastical legal sphere that was guaranteed by canon law. George had no leverage over bishops outside his own territory, such as Cardinal Albrecht, and the Saxon bishops understood how to take the edge off the prince's demands by means of a reference to their colleagues in other territories. It was only in the crisis of the Reformation that George succeeded in enforcing reform in this area.[92]

Finally, although the secular organization of justice was well developed by now, George's subjects continued to find recourse to the church judge attractive. Excommunication and interdiction were highly effective ways of putting pressure on a tardy debtor;[93] the competition between the secular and the

90 Heiner Lück assumes that there was a fixed income for the officials (see Lück, 63, 66). However, the gravamina of 1499 mention as an abuse "that the ecclesiastical courts are usually rented out to the officials, who then want to make profit from it." "Gebrechen," 1499 (like n. 30). Additionally, see also Kirn, 40, 65; Wiessner, Vol. 1, 242.

91 As, e.g., in a letter to the Naumburg administrator, Philipp von Freising, in which George complains about the financial demands of the episcopal official at Zeitz regarding the Grau-Schutze marital case (see more about this below). Nonetheless, he diplomatically stressed that "we believe the official or commission member may have made a simple human error" while excluding the bishop in his "princely virtue" from any accusations. Duke George's letter to Bishop Philipp of Freising, administrator at Naumburg, Dresden, January 8 [?] 1520, loc. 7444/6, fol. 22 f.

92 See ch. 24, section 2.

93 In literature, opinions vary widely as to the effectiveness of ecclesiastical punishments. While some believe that the frequent use of excommunication and interdiction would have led to apathy among the laity (see e.g. Wiessner, Vol. 1, 253 f.), others emphasize that regardless of inflationary tendencies, concerns about jeopardizing one's salvation would have sustained the fear of punishments. (See e.g. Kirn, 60–63; Albert, 344 f.). The petitions to Duke George by Albertine subjects also show that excommunication and interdiction were taken very seriously. In 1510, Duke George's governor at Dresden scrupulously enforced Bishop Johann VI's interdiction—even in the palace chapel—because the documents proving papal exemption could not be found. See above, n. 47.

ecclesiastical fora offered a multitude of possibilities to resourceful litigants. Clever defendants knew how to play the courts against each other in order to avoid a conviction. For example, Hans Schütze from Chemnitz was accused before the official in Zeitz of breaking his promise to marry Elisabeth Grau, the daughter of a burgher in Leipzig, and his case was finally brought before Duke George. He succeeded, through appeals to several ecclesiastical courts outside the Duke's territory, in dragging the case out for seven years.[94] The rejected woman complained to Duke George in 1518 that Schütze, "solely [in order] to make my family tired of the matter," had "summoned her with papal letters before the auxiliary bishop at Altenburg," thereby offending against the *privilegium de non evocandis subditis*. Not content with this, he had subsequently "made a mischievous appeal from the official of Zeitz to the archbishop of Magdeburg."[95] When Duke George finally, after yet another year, succeeded in getting Hans Schütze to follow through with his promise of marriage, the official of Zeitz demanded payment of a fine of one hundred florins. This threatened to undo all the good work, and George reacted with vehement accusations that reflected the entire spectrum of the religious reservations of the laity against the ecclesiastical court system.[96]

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94 See the suit brought by Elisabeth Grau, December 14, 1518, loc. 7444/6, Bl. 12–14; See also Duke George's letter to the Schütze family at Chemnitz, Leipzig, November 9, 1516, ibid., fol. 10; Judgment by episcopal officials at Zeitz regarding the marital case of Hans Schütze vs. Elisabeth Grau, [Zeitz] n.d., ibid., fol. 15–17.

95 Grau's legal suit, 1518 (like n. 94), fol. 12v–13r. The privilege is mentioned there with the words "Your Grace's freedom, that your subjects should not be summoned by ecclesiastical judges before foreign courts."

96 Since Schütze had acquiesced to the marriage, George was irritated by the officials' refusal to release him from his ecclesiastical punishments, "if he [Schűtze] would not pay him [the official] 100 guilders for absolution, whereas in our opinion this would be a great and outrageous burden and against all legal rationale, that one who would like to obediently commit themselves and who changes his thinking should be denied the bosom of the church out of greed, or that this person is turned away from his good intentions. Since it is obvious that the Holy mother, the Christian Church, does not close her arms to anyone who is willing to repent, but willingly accepts all penitents. Thus, we cannot believe that the good deed of absolution, something which is spiritual, should be sold for a large sum of money, thus leading the soul to perdition." Duke George's letter to the governor and counselors to the bishop of Naumburg at Zeitz, Leipzig, October 10, 1519, ibid., fol. 19 f.— As superior to the official at Zeitz, the administrator of Naumburg ultimately withdrew the demand, but persisted against George regarding the fundamental jurisdiction of his court. See the correspondence between Duke George and Bishop Philipp of Freising, administrator of Naumburg, and his governors at Zeitz, October 10, 1519–April 2, 1520, ibid., fol. 19–26.

Numerous plaintiffs made use of both fora; for example, the parish priest of Limbach brought his claims for money against Margarethe von Miltitz before the territorial and the ecclesiastical fora simultaneously.[97]Although the prince's subjects made use of ecclesiastical courts, they also complained about the abuses and moral indifference of the church judicial system, and many of their complaints were addressed to the prince. In 1513, Ernst Schmalstieg, an elderly burgher in Treffurt (?), addressed a petition to Duke George because his own son, whom he had helped to become the parish priest in Treffurt, had brought him "most unjustly" before the church court. He vividly described his material and psychological distress to the prince: his son "is doing great harm to me with the *doctores*, [and wants] to bring [me] under the earth, excommunicated in my old age." Schmalstieg had initially wished to follow the normal channels by asking the *Amtmann*, Sittich von Berlepsch, to hear the case before his court, but since the *Amtmann* was on a journey, all he obtained was a letter from the clerk, which the Bearer of the Seal in Erfurt ignored. Now he pinned his hopes on Duke George: "As I am Your Princely Grace's sworn and f[aithful?] liegeman, I know no one to whom I can appeal other than Your Princely Grace in the subservient hope that Your Princely Grace […] will graciously protect me against such actions."[98]

The ambivalent attitude of the people is the final element in the background[99] against which we must close the present chapter. Let us attempt to answer our initial question about the aims of the prince's confrontation with the ecclesiastical court system. We must resist the temptation to play power politics and church reform against each other by "unmasking" (*à la* ideology criticism) complaints against abuses, formulated in religious rhetoric, as mere cloaks for power politics. Nor can it be advisable to reduce the historical analysis by taking sides in the old confessional dispute about the degeneracy or flourishing of the late medieval church. The best way to do justice to the complex historical reality is to note that it was obviously unproblematic for people to combine such apparently different motives as the religiously justified will to reform the church and the power-political interest in an internal consolidation of the territorial state. Duke George's position during the Reformation provides

97 See Duke George's letter to Margarethe von Miltitz, Dresden, March 7, 1509, cop. 110, fol. 91v; Duke George's letter to the parish priest at Limbach, Dresden, March 11, 1509, ibid., fol. 98v.—Due to debts, the priest had already had the noblewoman excommunicated for the first time five years earlier. See Duke George's letter to the official at Meissen, Dresden, March 24, 1504, cop. 109, fol. 45r.

98 Ernst Schmalstieg's petition to Duke George, July 28, 1513, loc. 8200/9, fol. 4.

99 See also Johanek, "Bischof," 100.

evidence against Peter Johanek's thesis that the obstinate resistance of ecclesiastical courts to the judicial supremacy of the sovereign's government was an important factor that moved the princes to embrace the Reformation; but it is, of course, possible that Duke George was the exception to the rule.[100]

We must also note that the perception (if not the reality) of the abuses in the ecclesiastical legal praxis changed during the pre-Reformation period. The laity increasingly came to see the routine imposition of the ecclesiastical means of coercion, excommunication and interdiction in such profane matters as disputes about money, as inflicting irresponsible damage on individual salvation. Their use in the secular legal sphere seemed disproportionate; Duke George called them an "unchristian load." This was seen as a threat to the character of the church as an institute of salvation, something that called for reform on the part of a prince who was conscious of his responsibility for the salvation of his subjects' souls. The fact that it was not so much the praxis of the church courts themselves (as officials like Horn or Betzschitz emphatically affirmed) that had changed, so much as the laity's attitude towards them, is irrelevant. This reveals the fundamental shifts in the definitions of the sacred and the profane spheres by the pre-Reformation laity.

Since Duke George never called into question the basic legitimacy of the ecclesiastical court system, he was able to become its defender during the Reformation. In 1523, when King Ludwig II of Bohemia and Hungary completely forbade the proclamation of ecclesiastical mandates in Upper and Lower Lausatia in a wide-reaching attempt at reform, George was informed in dramatic words by the vicegerents of the bishop of Meissen.[101] He immediately requested the king to revoke the order, since where "the ecclesiastical legal authority is despised and abolished, many sins and misdeeds are ignored and go unpunished; the commandments, ordinances, and sacraments of the holy Christian churches are brought to ruin; the Christian faith is almost wholly weakened." Lastly: "Luther with his following is immensely strengthened."[102]

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100 "Ecclesiastical jurisdiction impeded the concentration of territorial jurisdiction administrated by secular princes and cities. For decision-making processes during the course of the Reformation, this point surely carries an exceptional amount of weight." Johanek, "Bischof," 100.

101 See the letter from Bishop Johann VII of Meissen's governor to Cäsar Pflug, Stolpen, February 14, 1523, ABKG, Vol. 1, 464 f.

102 Duke George's letter to King Ludwig II of Hungary and Bohemia, Dresden, February 19, 1523, ibid., 467 f.

CHAPTER 10

The Regular Clergy

Monastic politics is one of the best-researched areas of Duke George's church politics; Felician Gess' post-doctoral thesis is particularly dedicated to this theme.[1] Several other studies also focus on the Wettins' fifteenth-century tradition of reform that left a long-lasting stamp upon George's early monastic politics.[2] Another influence on the duke's political involvement is associated with the existential threat to the monastic system by the Reformation. Research has given much attention to the visitations of 1535–1539.[3] On the whole, the excellent level of current research allows this study to follow a streamlined, thesis-oriented approach to this field.

1 Duke George as a Benefactor of Monasteries

Throughout the Middle Ages, secular people of authority expressed their relationship to the church through the founding and furnishing of monasteries, hoping to ensure their soul's salvation. In Central Germany there was a rich monastic landscape that featured branches of all the important religious orders. The thinning of monasteries from west to east mirrored the briefer history of settlement in the region east of the Saale River. The Wettins themselves were enthusiastic founders of monasteries, and can be credited with the existence of more than a dozen, including important ones such as the Cistercian Altzelle monastery and the Augustinian monasteries of Petersberg, Zschillen, and St. Thomas of Leipzig.[4]

Soon after assuming power, Duke George took up the tradition of rulers providing welfare for the church. Starting in the summer of 1501, he arranged for the settlement of Observer Franciscans in the newly established mountain town of St. Annaberg. The monastery was founded with papal sanction in 1502,

1 Cf. Gess, *Klostervisitationen*; cf. also ABKG, Vol. 1, XXI–LII.

2 Cf. Weinbrenner; Schulze, *Fürsten*; Weigel; Werner, "Landesherr."

3 Cf. Gess, *Klostervisitationen*; Cardauns; Hecker; Kühn; Löhr, *Kapitel*; ders., *Universität*; Paulus, *Dominikaner*; Voigt, "Klöster"; Springer, *Dominikaner*; lastly Bünz, "Ende." See also ch. 20.

4 Additional Wettin foundations were Gerbstedt, Dobrilugk, Neuzelle, Eisenberg, Holy Cross in Meissen, Nimbschen, Seusslitz, Weissenfels, Brehna. cf. Helbig, *Ständestaat*, 367–369; Bünz, "Ende," 81.

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and George organized the installation of terminal districts in the border regions of the three dioceses of Prague, Meissen and Naumburg, and called on people of all classes to contribute to the church construction. It was the only monastery mentioned in his will.[5] This links George to the church politics of Wilhelm III, who settled Observant Franciscans in Weimar and Salza in 1452.[6]

In light of the need for a monastery in the burgeoning mountain town, the construction in Annaberg might be considered to have been a socio-political necessity, but the installation of a monastery atop the Kőnigstein in 1516 was an expression of princely devotion. In accordance with the medieval concept of such a foundation, George wanted the establishment of the first Celestine monastery in Saxony to be seen as a good work that would help him and his family to salvation.[7] For the patronal celebration, he specified the "Praise of the Virgin Mary" and combined it with a request that the monks should "give everlasting praise to almighty eternal God and his blessed mother, and thank God especially for the great mercy with which he honored his blessed mother above all creatures, and for the daily miracles that take place because of her supplications for us and all poor sinners."[8]

Duke George found new ways to finance his foundation. Instead of making a property transfer to the monastery, he prescribed a year's rent of 200 Rhenish florins from the district of Pirna. The monks were to be funded from the duke's budget for as long as possible so that they would remain under the control of an especially strong ruler.[9] Together with his two sons, the prince lay the monastery cornerstone on October (?) 2, 1516.[10] A construction contract with

5 Cf. ABKG, Vol. 1, XXX–XXXII. See also ch. 12, section 2.

6 Cf. ABKG, Vol. 1, XXVI with n. 1; Schulze, *Fürsten*, 86, n. 163.

7 "We proclaim, that to increase the praise and honor to God, we have well considered with regard to our temporal existence the funding and construction of a monastery on the top of the Kőnigstein, so that blessings and salvation will come to our forefathers, ourselves, our dearest wife, Duchess Barbara etc. and to our heirs. When finished, it will be given to the worthy fathers known as the Celestines of Oybin and their order." Duke George's document about the founding of the Kőnigstein monastery [prior to September 29, 1516], autograph concept, Loc. 8941/28, fol. 2 f.

8 Ibid.

9 Cf. ibid. also Duke George's letter to [Georg of Karlowitz,] the bailiff of Pirna, September 25, 1516, ibid., fol. 5, printed: ABKG, Vol. 1, 577, n. 1. The description contains a sovereign proviso to go into effect after the conversion of the yearly rent to a resalable interest of up to 4000 Rheinish fl. (=200 fl. interest at 5% p.a.).

10 According to the report of Johannes Lindner (the "Pirnisch monk") Cf. Lindner, col. 1473. Instead of the unresolvable date given there "1516 Dornstags Cosme und Damiani," October 2 will be used here (= Thursday *after* Cosme and Damiani).

Master Markus of Pirna, dated October 6, documented that the existing structure would be integrated.[11] George retained military use of the border fortifications, but during times of peace, the Celestines had control of the keys to the battlement gates.[12] Occupied by monks from Oybin near Zittau, the foundation was in existence for only a few years. By 1523 the prior and several monks had already become evangelicals and left the monastery despite personal efforts by Duke George to convince them otherwise.[13] After the remaining brothers had returned to Oybin, George closed the monastery and used the possessions of the foundation to equip Dresden's Hospital of St James, where they were put to good use well into the nineteenth century.[14]

2 Territorial Government and the Monasteries

Using the example of Wűrttemberg, Dieter Stievermann has shown how the monastery became subject to territorialization at the end of the Middle Ages and was integrated into territorial church governance. As others before, he has pointed to the legal institution of the bailiff upon monasteries as an important building block of princely rule.[15] Not least, it was a matter of princes making use of the financial and personnel resources of large wealthy abbeys for their rising territorial states. Some rulers already treated monastery property as "state domain in the broadest sense."[16] In Saxony, the situation was hardly different; thus, many aspects of George's monastic politics could be built on the accomplishments of his predecessors.

Concluded in the fourteenth century, the princely integration of all monasteries and commanderies into Wettin territory found its expression in the attendance of abbots and provosts at the state diet and in their obligation to provide army wagons, as well as in the taxation of monastic subjects. As a result, Wettin supervision over monastery property—based on old bailiff's rights over some cloisters—was soon exercised equally by all monasteries. This included measures such as the obligation of the monastery to render accounts,

11 Construction contract of George von Carlowitz, bailiff of Pirna, in Duke George's name, [Pirna] October 6, 1516, Loc. 8941/28, fol. 4.

12 Document of Duke George, 1516 (like n. 7), fol. 2.

13 See ch. 20.

14 Cf. Butte, 205 f.

15 Cf. Stievermann, *Landesherrschaft*; Werminghoff, 89. See also p. 61 f.

16 According to the evaluation of Otto Brunner, quoted here after Rankl, 223.—for monastic politics in other regions, see p. 61 f. and the literature quoted there.

and to make all property alterations dependent on permission from George. Through secular administrators, the princes attempted to counter economic downturns, mismanagement, and swings in the agricultural economic cycle.[17] As a matter of authority and economics, the monasteries were already dominated by secular rule prior to the Reformation. The notebooks from George's chancery provide evidence that, for their part, the monasteries profited from the monarch's protection and shielding, for instance in the interpretation of their property rights.[18] The princely donations they received, such as building supplies, provided material support. On the other hand, monasteries were also called on for taxes and supplements as well as for providing accommodations and transport services upon request.[19]

Through their claim to protection and patronage[20] over all monasteries in their territory, the Wettins derived a co-determination right regarding those chosen for leadership positions in the convents. It was common practice for

17 For Saxony cf. Helbig, *Ständestaat*, 367–374 (there, integration into the territory as implementation of the ruler's "Schutz- und Schirmherrschaft"); Mikat, 299–301; Kirn, 89–106; Schulze, *Fürsten*, 104–111; a compilation of monasteries that were qualified for the territorial diet, cf. Goerlitz, 560–562.

18 So e.g. 1494 in the dispute between the nun's convent and the city council of Grossenhain regarding a payment of interest with tallow. cf. Duke George's letter to the city council, the toll keeper, and to the prioress of the nun's convent as well as the priest of Grossenhain, s.l., 11./16. December 11/16, 1494, cop. 105, fol. 56v, 59r.

19 Cf. Kirn, 89–106.—e.g. in 1508 Duke George contributed 60 logs to Leipzig's Pauline monastery. Cf. Duke George's letter to the Rochlitz forester [Leipzig] October 25, 1508, cop. 110, 16v.—Not only the monastery was required to provide transport services, but also the cities and noblemen. cf. e.g. an order to provide wagons for wine transport from Weissensee or Kunitz (in the Saale Valley near Jena) to Leipzig in the fall of 1503, which was also submitted to the cities of Salza and Thamsbrück along with monasteries in Homburg, Volkenroda, Sittichenbach, Langendorf, Beuditz, Pforte, Weissenfels, Porstendorf, the commanders of Griefstedt, Welsbach, Nägelstedt, Weissensee and Zwätzen and the monastery yards of Porstendorf and Reissen. cf. Duke George's letters to the named recipients. [Dresden] November 13, 1503, cop. 109, fol. 62.

20 This was expressed in formulae such as "we as protective lords and territorial princes," with which George justified his right to sequester the property of Pforte Abbey in 1516 (Duke George's instructions, 1516 [as in n. 61]. In some cases, it is difficult to link the Wettins' claims to concrete bailiffs' rights of jurisdiction—such as those which the Wettins never possessed with regard to Pforte—instead, it already represented the generalization of singular rights to territorial rule over all monasteries in the region. Along with individual monastery bailiffs, the literature also discusses the assumption of royal *Advocatia ecclesiae* as the source for these claims by the duke. However, in Saxony there is no trace of any supporting evidence. cf. Schulze, *Fürsten*, 139–142; Stievermann, *Landesherrschaft*, 15–29. See also p. 438–446.

the duke to confirm the selection of the abbot in monasteries; he went even further in the course of onsite visits (visitations), often imposing a change in monastery leadership. In the case of nun convents, Duke George regularly assumed the right to appoint the clerical provost or the secular administrator who represented the convent to the lay world.[21] In 1495, George ordered the Weissenfels bailiff, Johannes von Werthern, to conduct a routine investigation of a certain Frank Neurer, who had requested a position as administrator of the local Poor Clares monastery. If the petitioner appeared competent to the bailiff, he was to appoint him. Eight years later, the bailiff received the order to "see to it yourself that the adminstrator of the maiden's convent steps down from his post." This was because George had authorized the Provincial Minister of the Franciscans to select a new administrator as commissioned clerical representative responsible for reforming the monastery.[22] Incidentally, the responsibility of filling the office of the provost (and financial accounting of the provost by the prince) belonged to the elements of authority over the church that the combative Bishop Johann VI demanded be returned by Duke George, albeit unsuccessfully.[23]

3 The Support of Observance in the Mendicant Orders

The reestablishment of monastic discipline was the major theme of church reform in the fifteenth century. Within the empire, the secular authorities played a decisive role in pushing through monastic reforms, although the rulers' involvement was primarily religiously motivated. The efforts yielded sustained success: "At the turn of the sixteenth century the outcome was the same everywhere: the monasteries were reformed and now under the influence of secular authority."[24]

The Wettins drove monastic reform with the help of two widespread strategies: they supported Observance in the mendicant order, and they made an

21 Cf. Gess, *Klostervisitationen*, 4–13. Friedrich the Wise's politics went in the same direction. cf. Kirn, 96–99.—The nuns elected their own provost and asked the duke for confirmation, as in Langendorf in 1495. cf. ABKG, Vol. 1, XLVIII.

22 Cf. Duke George's letter to Hans von Werthern, bailiff of Weissenfels, s.l., April 10, 1495, cop. 105, fol. 133v; Letter from the same to the same, s.l., May 23, 1503, ABKG, Vol. 1, XXXIV, n. 2.

23 Cf. ABKG, Vol. 1, L–LII; Gess, *Klostervisitationen*, 9 f. See also ch. 8, section 1.

24 Neidiger, "Erzbischöfe," 74.—See ch. 4, section 4.

effort to conduct visitations of the monasteries within their territory.[25] In this regard, little had changed since the days of Wilhelm III or even the Peraudi program (the excessive list of requests submitted by the young Duke George in 1503 to the French cardinal) that was concentrated on these two points as part of monastic reform. In his enthusiasm for reform, the young Albertine aimed far beyond what was attainable. His immodest demands were the conversion of all Saxon Franciscans to Observance, and unlimited visitation rights for himself.[26] The curia's response to his requests was as realistic as it was sobering; the legate issued visitation rights only to the Bishops of Meissen, Merseburg and Naumburg. Therefore, the young Wettin received no more empowerment than that obtained by his uncle and father from the pope in 1485.[27] In a break from previous centuries, special support from Rome for German princes was no longer to be expected. Those canonical privileges considered unobjectionable had been granted long ago. Monastic reform was once again dependent on the political assertiveness of the territorial ruler, and at the same time it had to concentrate on day-to-day business.

In the fifteenth century, the Wettins—above all Wilhelm III—not only promoted the leader of the Observance in the diplomatic arena, they also helped him on his way to administrative success. At the request of the vicar, they forced one monastery after another to convert to following Observance and defended them against even intermittent resistance by leaders of the order in Rome.[28] In 1488, as George began his reign, this process was completed for the Dominicans and the Augustinian hermits. The Blackfriars of Leipzig,

25 See ch. 4, section 4.

26 "Item: that the duke is entitled to reform all monasteries in his territory and improve their conditions; also the canonicos regulares in heremitas sancti Augustini, and the monasteries under the control of the minister [=Franciscan monasteries] should be placed under the vicar." Duke George's catalog of demands from the pope as a verbal recitation to Cardinal Legate Raimund Peraudi [early January 1503], Gess, *Klostervisitationen*, 46 f., also: ABKG, Vol. 1, XXXIII, n. 1.—Felician Gess has avoided interpreting the somewhat dark passage about the Augustinians. Because all of the Augustinian hermits in Albertine Saxony already belonged to the Observance led by Vicar Andreas Proles, the demand that they be placed "under the vicar" made no sense. Instead, as Enno Bűnz has recently suggested, the passage is better understood to mean that all Augustinian canon churches (St. Thomas in Leipzig, St. Afra in Meißen, St. Peter on Lauter Mountain near Halle) should be converted to (Observance) hermitages. This would have certainly been a last big coup on the part of the aging Proles, whose good contacts with George are well known. (See p. 86–93). cf. Bünz/Volkmar, "Kirchenregiment," 104.

27 Cf. ABKG, Vol. 1, XXXVII; See ch. 4, section 4.

28 See ch. 4, section 4.

Freiberg and Pirna and the Augustinian hermits of Sangerhausen, Langensalza, Waldheim and Altendresden had been completely won over to Observance, and from the duke's perspective that meant successfully reformed.[29]

However, it was a different picture with the Franciscans, where only the Langensalza and Chemnitz monasteries were subordinate to the vicar. Both had been founded in the fifteenth century as Observance monasteries. The monks of the older branches in Leipzig, Dresden, Freiberg, Meissen, Oschatz and Sagan continued to live according to Conventual rules. The lines drawn between the Franciscans were less clear after the establishment of a reform party within the Conventual movement in 1430. The stricter constitutions of the so-called Martinians were established by John Capistrano. In Saxony, the Leipzig monastery adhered to this rule.[30]

Like his predecessors, the young Duke George applied himself energetically to strengthening Franciscan Observance. As mentioned above, in 1501 he founded a new Observance monastery in Annaberg, the only monastery in the soon-to-be largest city in Saxony. By 1498, Pope Alexander VI had already accepted a request submitted in the name of Duke Albrecht that the monastery "*dicti ordinis* [*Fratrum Minorum*] *Conventualium sive Martinianorum nuncupatorum opidi Lipczik*" be converted to Observance.[31] Unlike his predecessors, George was then able to act with specific papal permission when he transferred the Leipzig monastery to the vicar of the Observers. Despite papal legitimacy, the conversion was anything but smooth. As in Marburg, where the Hessian landgrave tried to convert a Franciscan monastery to Observance during the same period (1495–1499),[32] a number of monks resisted the duke's measures.

Conventuals fleeing the Observance took up the fight on several fronts. The complaint they lodged with the curia remained within the framework of conventional canon law (their fellow sufferers in Marburg acted in a similar fashion); however, their second defensive strategy was disconcerting—and not just from today's point of view. They published a pamphlet in the city in the form of an abusive letter (*Schmähbrief*) in which they accused the Observers of bribing Duke George, and then called for the citizens of Leipzig to intervene.[33] In

29 Cf. ABKG, Vol. 1, XXII–XXIV.

30 Cf. ibid., XXVI–XXIX. The label "Martinian" is derived from Pope Martin V, who promulgated the constitutions in 1430 as an attempt to strike a compromise between Observers and Conventuals. cf. Schulze, *Fürsten*, 179.

31 Pope Alexander VI's bull, Rome, April 28, 1498, CDS, II, Vol. 10, 269–272.

32 Cf. Schilling, *Klöster und Mönche*, 113–115.

33 In context cf. Lentz, "Rechtsstreit," also now: id., *Konflikt*.

addition, the monks threatened to set the city on fire if they were not able to return to their monastery. From George's point of view, this less-than-devout reaction of the Martinians was further proof of the need for monastic reform. He emphatically defended his actions to the pope, the Minister Provincial of the Conventuals, and the citizens of Leipzig, but the suit before the curia dragged on for years.[34] During the Reformation, however, the reformed Leipzig monastery proved to be a stronghold of the old church.[35]

It seems very likely that George's demand to have all Albertine Franciscan monasteries turned over to the custody of the vicar emerged under a strong influence of the events in Leipzig. The Albertine prince, however, achieved no further concessions from the curia. The obstacles encountered by the young duke during the advance of reform politics in the fifteenth century were not without effect. George made no further attempts after 1503 to convey more monasteries to Observance. Instead, in the following years it became a sort of collaboration with the Provincial Minister of the Conventuals, such as with the visitation and reform of the Poor Clare's convents of Seusslitz and Weissenfels.[36]

George's moderate position revealed his instincts for the trends that were current during the discussions on reform. The leading representative of the mendicant order tried to find new paths to follow at the beginning of the sixteenth century. A reuniting of the hostile parties beneath the banner of stricter adherence to the rules was meant to lend the reform a new impulse. In Central Germany, the Observer Augustine Vicar Johannes of Staupitz and the Conventual Franciscan Minister Provincial Ludwig Henning were the leaders of this movement. Once again, the reformers sought and found support from the duke. Thus, at Henning's request, Friedrich the Wise acted on behalf of the Franciscan union project and had two famous professors from Wittenberg, the legal expert Christoph Scheurl and (once again) Staupitz, campaign for the union in Berlin, the capital of the Franciscan province.[37] The principle of princely protection was probably the most essential aspect of Friedrich's involvement; it was advantageous for the protagonists of the union movement (including a master from the theological faculty in Wittenberg,

34 See ch. 13, section 4 and cf. Volkmar, "Druckkunst." cf. the source texts in CDS, II, Vol. 10, 269–312; cf. also ABKG, Vol. 1, XXIX f.; Schulze, *Fürsten*, 148–154.—In 1503, the suit was still ongoing. Cf. Duke George's letter to the Common Chapter of the Franciscan Order assembled in Cottbus. s.l., May 23, 1503, cop. 108, fol. 274v.

35 Cf. Smolinsky, *Alveldt und Emser*, 343, 416 f.

36 Cf. ABKG, Vol. 1, XXVIII, n. 1 and XXXIV, n. 2, with documentation from the years 1503–1516.

37 Cf. Schulze, *Fürsten*, 154–191.

along with Staupitz and Henning), and later it would become very important to Luther's position in Wittenberg.[38]

The reformers also approached Duke George. In 1510, Vicar Staupitz, whose (ultimately unsuccessful) union plan had stirred up resistance among his own Observants, requested support from George against the Observers in Sangerhausen who were opposing the union. The prince ordered his bailiff to convey his disapproval and to take an inventory of all the convent's valuables in order to prevent them from being misused to finance a canonical lawsuit against Staupitz. However, George's line of reasoning did not leave the impression that he had a full understanding of the union issue. The mistrust by those in Sangerhausen against cooperation with the Conventuals boiled down to what George considered a reprehensible act of resistance to Staupitz, the leader of their order.[39] This is where the patriarchal spirit of George's reform politics becomes palpable. By sending counselors, the duke supported talks regarding a union of Franciscans that took place in 1511 at the initiative of the bishop of Naumburg.[40] However, it did not appear as if the Albertine ruler had made the union a part of his reform agenda. The reform of the mendicants—already a substantial reality by the fifteenth century—no longer stood at the center of the duke's church politics.

4 Visitations

An important result of the Wettins' fifteenth century monastic politics was the practice of ducal visitation. In day-to-day application, it was of little consequence that the pope denied the duke the nominal right of visitation by making it only indirectly possible through a request to the territorial bishop. No religious institution in Saxony would consider refusing the duke, and no bishop or prelate could avoid his demands to send a visitation commission for very long.[41]

38 Cf. Schulze, *Fürsten*, 179.

39 Cf. Duke George's letter to the bailiff of Sangerhausen, s.l., Oktober 28, 1510, ABKG, Vol. 1, XXV, n. 2.

40 Cf. Duke George's letter to Bishop Johannes III of Naumburg, s.l. August 18, 1511, ABKG, Vol. 1, XXXV, n. 1.

41 Again, Bishop Johann VI of Meissen brought heavy resistance to bear against Duke George. In 1503 he refused to comply with a verbal request for a visitation of the Mühlberg nunnery, although perhaps it was due to the contested right to fill a vacancy for the local position of provost. In 1511 he was obligated by the Arbitration of Leipzig to work together on monastery visitations with Duke George. cf. ABKG, Vol. 1, L–LII.

Unlike in the 1530s, Duke George did not undertake a planned campaign of visitations during the pre-Reformation period.[42] Visitation was more an instrument of daily politics to be used wherever George was convinced there was an urgent necessity for reform. It is indicative of the Wettin's self-confident monastic politics that Duke George made no use of the special papal visitation privileges granted to the territorial bishops. Instead, he chose a religious partner on a case-by-case basis, often calling on prelates who had clerical visitation rights corresponding to the monastery in question. Usually, the process resulted in the duke informing the cleric of the abuses in the monastery and the intended visitation. He was then requested to conduct the visitation with his counselors at an appointed time. As a rule, the duke's representatives were secular advisors, often senior civil servants from the vicinity of the monastery.

The local bishops were mainly approached by Duke George with regard to non-exempt nunneries. Among them, many lived according to Benedictine or Cistercian rules but without belonging to an associated order.[43] As in the 1509 case of Thuringia's Benedictine monastery in Homburg, George consciously waived the use of extraordinary privileges. In these instances, the pope's authorizations of 1485 and 1503 would have applied, allowing a visitation from an Albertine bishop, since Homburg, while being part of the archdiocese of Mainz, lay within Albertine territory. George, however, preferred to approach two other authorities: the regularly responsible Archbishop of Mainz and a chapter of Benedictines who happened to be meeting in Erfurt. Finally, George decided on the composition of the visitation commission himself, calling on three abbots from the Bursfelde congregation (Bursfelde, Reinhardsbrunn, and Oldisleben) as well as the bailiffs from Sachsenburg and Langensalza.[44]

For the visitation of the Cistercian monasteries in Dobrilugk (1502/03) and Pforte (1516) the prince appointed abbots of the order, believing them to be the appropriate visitators in accordance with the order's charter.[45] George treated the visitation as a territorial right, as had Ernst and Albrecht in 1483, and as it

42 Regarding the visitations from 1535–1539 cf. Gess, *Klostervisitationen*.

43 E.g. the nunneries of St. George in Leipzig and Mühlberg/Elbe in 1502, and George's appointment of the diocesan bishops of Merseburg and Meissen as their visitators. Due to his dispute with Duke George, Bishop Johann VI refused to grant the request for several years. Cf. ABKG, Vol. 1, XLVIII–L.

44 Cf. ibid., XXXVI–XXXIX.

45 Cf. ibid., XL–XLIV. George called on the Abbot of Lehnin in Brandenburg for the visitation in Dobrilugk, "to be the most senior visitator of the selected monastery." Duke George's letter to the abbot of the Cistercian monastery in Lehnin, s.l., Januar 21, 1503, ibid., XLIV, n. 1.

was regarded in Wűrttemberg.[46] Because he was in a position to request relevant religious visitators to collaborate, he had no need to rely on special papal rights. A decidedly different process was in place in Bavaria, where the prince placed visitation in the hands of closely associated prelates according to papal privileges.[47]

During the course of visitations, information was provided by reports delivered to the duke. In this way, George was able to monitor the success of the visits. As had been the case at Pforte's Cistercian monastery in 1516, he forcefully demanded a repeat of the visitation if he was not satisfied. George often measured the reform's success by making changes in leadership. Secular pressure, such as the indexing of monastery valuables or the threat of seizing monastery goods, gave weight to his position.[48] Ducal intervention also included the safeguarding of reform achievements, for example, by protecting monasteries from the claims of discharged abbots.[49]

Assessing the success of the duke's monastery visitations is a question of long-term perspective. A total elimination of all shortcomings was hardly possible, and by 1538 even George himself was questioning the validity of religious monastery visitations. Undoubtedly, this was intentional polemic in the context of difficult negotiations with the clergy rather than a fundamental statement about visitation as an instrument of reform.[50] Indeed, especially during the last year of his life, the Albertine had arranged for comprehensive monastery visitations by secular commissions. The relatively intact survival of Albertine monasteries during the stormy years of the Reformation could be seen as an indication of reform success.[51] Using the example of Wűrttemberg, however, Dieter Stievermann argues for a completely different perspective. "The criteria for the intensity of the duke's control over the church is not a question of whether the reform was successful or not. Without doubt, effectiveness and duration were as imperfect here as they were in all other governmental activities. The decisive fact is that comprehensive reforms were carried

46 See 72 f.; cf. Stievermann, *Landesherrschaft*, 33.

47 Cf. Rankl, 189–194.

48 Cf. ABKG, Vol. 1, XL–XLIV.

49 E.g. the case of the discharged abbot of the Benedictine monastery in Homburg 1510/12. cf. ABKG, Vol. 1, XXXIX, n. 1.

50 Cf. Report on negotiations with the clergy at the Leipzig conference. July 29, 1538, ABKG, Ms. Werl, nr. 4080, 4082, partially edited, Reinhard, *Meditationes*, 126 f.; cf. also Gess, *Klostervisitationen*, 25 f.; Schulze, *Fürsten*, 137 f. For context cf. Cardauns, 114–120; Gess, *Klostervisitationen*, 41–45.

51 Cf. ibid., 20 f. See ch. 20.

out—and indeed at the initiative of a secular prince."[52] According to this point of view, what mattered was that the prince saw it as his mission to reform the monastic system.

Finally, when looking at the goals of ducal reform through visitation, it is astonishing to note the degree to which the prince's line of reasoning was defined by stereotypes. Just as his analysis of the problem was generalized in the following manner, "the reported monastery has [...] fallen on hard times and reduced its religious services,"[53] so is his order to the visitators, "to bring the reported monastery to a new and good reformation once again, and to do away with that which was found to be bad or evil."[54] If justification was given for the necessity of reform, it was the "illegitimate and wicked leadership"[55] of the monastery. Consequently, George often demanded removal of the abbots.[56] Then, there would also be accusations raised concerning moral conditions behind the monastery walls.[57]

Thus, the depth that was usually characteristic of George's church politics is strikingly missing with regard to monastic life. Although there were detailed regulations in the prince's chancery for lay reform, liturgical procedures for feasts and processions and religious responsibilities of the secular clergy, the duke's view of spiritual life in monasteries remained sketchy—an outside perspective that generated no substantive proposals for solutions. A detailed reform order such as that established by Bishop Dietrich of Meissen for his visitation of nunneries in 1464[58] (carried out on orders from the Wettins) cannot be found in Duke George's files. Instead, the duke's concept of reform only repeats the familiar ideals of monastic reform in very general terms: strict adherence to the rules of the order and the replacement of incompetent

52 Stievermann, *Landesherrschaft*, 293 f.

53 Duke George's letter to Archbishop Uriel of Mainz, Dresden, March 28, 1509, ABKG, Vol. 1, XXXVIIII, n. 1.

54 Duke George's letter to the abbot of the Cistercian monastery in Walkenried, s.l., August 30, 1502, ibid., XLIV, n. 1.

55 Ibid.

56 "[...] that the already specified changes are averted, that the monastery be directed by a competent abbot and restored to good order; church services be resumed and maintained." Duke George's letter to Uriel von Gemmingen, Archbishop of Mainz, 1509 (as in n. 53).

57 E.g. the case of Pforte's Cistercians 1516. cf. Duke George's letter [to the abbots of the Cistercian monasteries in Altzelle, Walkenried, Buch and Sittichenbach, Fall 1516], ABKG, Vol. 1, XL, n. 1.

58 Cf. Schulze, *Fürsten*, 131 f.

personnel in leadership positions and, where appropriate, a link to economic restructuring.[59] These were the prince's goals for monastic reform. Seen from this point of view, his affinity with the Observance movement is understandable.

The duke's superficial view of monastic reform could indicate that life behind monastic walls remained hidden from the outside world. The seclusion order was as much responsible for this as the absence of systematic visitations.[60] Beyond this, however, deeper reasons may also be derived from the territorial lord's motivation for involvement in reform. Neither knowledge of monastic life, nor the internal monastic reform discussion was the point of departure for his intervention. It had more to do with his concern about the social function of monasticism and the duke's image of himself as "patron and territorial prince"[61] of the monasteries. As intercessors for the region, the monasteries had a decisive stake in the well-being of the community and in common good, but only well-run monasteries could fulfill this service. Bad management, deviation from rules of the order and economic decline were threats to religious services in the monasteries and therefore to their contribution to the welfare of the territory. This externally oriented motivation was typical of princely church politics throughout the empire.[62] Successful leaders of the Observance, such as Andreas Proles, paid heed to this external perspective and purposely served the interests of the territorial ruler.[63]

Out of a religious dedication to monastic patronage and a concern for the common good, Duke George saw himself as committed to moving monastic reform forward. The Wettins had done this for generations and, in parallel

59 An examination of economic conditions was also among the duties of visitators. The submission of monastery receipts could have had consequences requiring economic management, or led to the dismissal of the provost or administrator. With each measure, the once self-sufficient monastic economics shifted more firmly under the Duke's control.

60 Direct contact with monks, such as those from Sittichenbach, was an exception. They had appeared before Duke George in 1519 in violation of the seclusion order to request the dismissal of their abbot. cf. Duke George's letter to Abbot Martin of Altzelle, Schellenberg, August 31, 1519, ABKG, Vol. 1, 98–100.

61 Instructions from Duke George for Dr. [Dietrich von] Werthern and Volkmar Koller about participation in the visitation at the Pforte monastery on October 16, 1516, ABKG, Vol. 1, XLI, n. 1.

62 Cf. Walsh, 430; Stievermann, *Landesherrschaft*, 294 f.; Schilling, *Klöster und Mönche,* 118.

63 Cf. Weinbrenner, 129 f.; for an internal theological perspective of the Observance cf. ibid., passim.

to George, it was also practiced by his cousin Friedrich the Wise.[64] From an external perspective, however, there were limits to the possibilities for reform and the necessity for a partnership with the reform forces within the regular clergy. The Duke's strategy for reform was to help them to victory with support from outside the monastery walls. Duke George was nowhere as dependent on partners as he was in the process of monastic reform.

64 Cf. Schulze, *Fürsten*, 58–64, 129 f., 138–142; Weinbrenner, 124–132; Kühn, 11 f. For Ernestine monastic reform, especially that of Friedrich the Wise cf. Kirn, 89–106; Müller, "Reformation und Visitation."

CHAPTER 11

The Lower Clergy

The network of parishes was the most important interface between the church and the secular world at the end of the Middle Ages. Parish priests and vicars represented the essence of the church for the broad public masses. They provided contact to the church and opened a path to individual salvation by administering the sacrament in religious services and through pastoral care. Therefore, from the laity's point of view—and that included territorial ruler—the lower clergy was the central support structure for functions of the church.[1]

No group within the clergy was as wide ranging, and socially differentiated, as the lower clergy.[2] One extreme was the wealthy canon who could occupy one or two vicar's benefices; at the other end of the scale was the poor secular priest, who served as a vicar to pastors in far-off parishes or conducted mass at an altar for a fraction of the income from a prebend.

Three main questions will be considered in the examination of princely influence upon the lower clergy. The first part will focus on the politics of appointments and benefices: to what degree did secular rulers influence personnel decisions and structures? The second part will address church governance and church reform, and thereby their direct influence on functions of the lower clergy. Finally, the third section will explore how the duke justified his interventions, which often contradicted canon law. In conclusion, the results will be compared, categorized and discussed with regard to the current status of research into princely church governance.

1 See Bünz, *Der niedere Klerus*; id., "Pfarrgeistlichkeit"; id., "Kommunikation"; Kurze, "Klerus"; Freitag, *Pfarrer*; Johanek, "Bischof"; for example, the archbishopric of Cologne: Janssen, *Köln*, Teil 2, 35–236; e.g. Englands: Duffy, 9–154; Kümin; from older literature: Buchner; Künstle; Veit.—Little attention has been dedicated to the pre-Reformation lower clergy in territorial and church history in Saxony. Although Rudolf Zieschang has already recognized the significance of "the independence of parish clergy from territorial princes" with regard to pre-Reformation church governance, he was unable to realize a corresponding research plan. See Zieschang, 149.

2 In the context of this discussion, the research term "lower clergy" is understood to mean all secular clergy below the level of those with canonicate positions or special offices within dioceses. Practically speaking, however, the latter positions are included if they involved parish or altar benefices. See Bünz, *Der niedere Klerus*.

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1 The Politics of Appointments and Benefices

1.1 *Ducal Patronage Rights in Saxony*

In his groundbreaking overview *Staat und Kirche vor der Reformation* ("State and church before the Reformation") Justus Hashagen designated patronage, next to the jurisdiction of monastery bailiffs, as the cornerstone of princely church governance.[3] He points out that the rulers in Wűrttemberg and Jűlich-Berg intentionally sought to increase their patronage in order to expand influence over the lower clergy. In the case of Wűrttemberg, the prince was able to acquire nearly 50 percent of all patronages during the course of the fifteenth century. In smaller territories such as the earldom of Hohenlohe, the local ruler was also able to acquire a considerable portion of patronages;[4] however, the fundamental conditions for this were not favorable everywhere: In the Kurpfalz the ducal portion of patronages was only 9 percent, and in Jűlich-Berg the quota never exceeded 25 percent, despite intense acquisition politics in the early sixteenth century.

The number of prebends held by the duke in Albertine Saxony was also limited. To date, however, there are no general details available about his portion of patronage rights in the territory. A trend may be deduced by numbers from Dresden and Meissen; of the forty-five altar benefices located within the main Albertine area in 1536, the duke had patronage rights to only seven (15.6 percent).[5] In 1540 during the Meissen cathedral's first evangelical visitation, fifty-five vicarages were counted; from these, the prince was able to nominate eleven benefices (20 percent).[6]

Looking across the Wettins' internal borders, the impression is given that only a small number of patronages found their way into ducal hands. In the Ernestine areas, there are comparable numbers available from the time of the first Lutheran church visitations. Afterwards, in 1528/29, the portion of the duke's parish patronages in the Ernestine areas of Meissen and Vogtland was almost 11 percent, and in Altenburger Land nearly 10 percent. On the other hand, percentages for religious patrons ranged between 18 percent (Meissen

3 See for the following Hashagen, *Staat und Kirche*, 454–469.

4 See Stievermann, *Landesherrschaft*, 150 f.; Neumaier, 35; unfortunately, without exact data, "in the count's hands were a number of patronages, but he was unable to reach Württemberg's level of 48%."

5 See income listing from altar benefices in Dresden, February 24, 1536, loc. 9837/20, fol. 1–11.

6 These are the results from evaluating available edited visitation protocols. See Loose, "Domklerus," 360–365. In the process, the priests' benefices in the prince's chapel were removed, as they were probably all owned by the duke.

and Vogtland) and 55 percent (Altenburger Westkreis), while the portion for aristocratic patronage by territory was between 36 percent (Altenburger Westkreis) and 71 percent (Meissen and Vogtland).[7] The portion of princely patronages in the Ernestine part of Thuringia was significantly higher. By the time of the visitation in 1533, it was already at 27 percent and as a result of secularization had risen to 58 percent by 1554/55.[8] While the Ernestine numbers indicate strong differences among the individual geographical areas, they also show that the number of ducal patronages was small, especially in the margraviate of Meissen—the heart of Albertine Saxony.

A second fact is equally important when it comes to understanding how the Albertines managed their patronages. Unlike the rulers in Wűrttemberg, for example, the Albertines did not try to systematically expand their patronage rights. During the era of Duke George, there is not a single known case of a patronage being acquired by the prince. On the contrary, the Wettin dukes repeatedly gave away their patronage rights in order to support religious institutions. This is illustrated by an example from the early part of George's rule. On January 31, 1501, Duke George transferred the patronage rights from the parish church in Dohna to the Collegiate Church in Freiberg and gave his permission for the parsonage to be incorporated. Since this was a change in the local ecclesiastical structure, it surely would have required permission from the bishop or the pope.[9] The Dohna example shows, however, that giving away a parish patronage could be a worthwhile investment for the duke. This was because the incorporation strengthened an institution—first founded in part

7 See Arndt, 18. The actual numbers account for Meissen and Vogtland (Ernestine portion), 87 parishes of which 83 had known patronages, including: 9 ducal, 15 clerical, 59 aristocratic; for the Altenburger Ostkreis 73 parishes, including 7 ducal, 24 clerical and 42 aristocratic; for the Altenburger Westkreis 64 parishes, including: 6 ducal, 35 clerical and 23 aristocratic. It is remarkable that apparently no patronages were under municipal control.

8 See ibid., 17–19. It should be noted that both statistics touch on Ernestine Thuringia from 1533 and 1554/55 with differing data bases. That is why for 1533 the total number of parish positions is 363 (ducal portion: 98) for 1554/55, however, it is shown as 481 parishes and a total of 568 ecclesiastical fiefs (ducal portion: 331).

9 Duke George's deed for the Collegiate Church of Our Lady in Freiberg, n.p., January 31, 1501, CDS, II, Vol. 12, 602 f. The incorporation was likely halted; nonetheless, in 1513 Duke George intervened once again in the replacement of parish personnel (see below in this section).— By 1493, Prince Friedrich, Duke Johann the Elder, and Duke Albrecht had transferred the parish patronage of Sorau, and Bishop Johann VI of Meissen had incorporated the diocese. See Bishop Johann VI of Meissen's deed for the Collegiate Church of Our Lady in Freiberg, Stolpen, April 15, 1493, CDS, II, Vol. 12, 567. In 1503, Duke George intervened again in the replacement of parish personnel to the advantage of the diocese (See below in this section).

by the Wettins in 1480—in which Duke George himself possessed the presentation rights for three of the eight canonicates.[10] This made it possible to furnish benefices that were an especially important resource for Duke George. For example, because the chapter charter did not require the actual presence of the canons, it was possible to fund professors at Leipzig University with the prebends.[11] Additionally, Duke George linked the relinquishment of the Dohna parish patronage to the care of princely memoria. As a direct reciprocation, the chapter obligated itself to the weekly holding of a vigil and a memorial mass for its founders, Elector Ernst and Duke Albrecht, along with all the deceased members of the house of Saxony.[12]

From the very beginning, it was hardly an option to build up princely church governance in Albertine Saxony around the nucleus of its own parish and altar patronage. Nonetheless, Duke George's handling of patronage rights deserves careful examination as a form of influence upon the lower clergy that was based in canon law. Some of the fundamentals of patronage rights will be further clarified.

Canonical patronage rights replaced the institution of private churches as a result of the papal victory in the investiture controversy.[13] By declaring patronage to be *ius spirituali annexum*, Pope Alexander III brought the foundation of churches under ecclesiastical jurisdiction, while it had earlier been significantly shaped by secular legal practices.[14] Systematized by twelfth and thirteenth century canon law, patronage delineated the rights and obligations of benefice founders. According to Gratian, the rights of patrons can be summed up in two points: the *ius sacerdotem inveniendi* (later shortened to *ius praesentandi*), which means the right to propose someone to occupy a prebend; and the *ius providendi et consulendi*, which includes the rights of custody as well as the

10 For the Collegiate Church of Our Lady in Freiberg, see CDS, II, Vol. 12, 534–634; Magirius, "Dom zu Freiberg," 25–31; Donath, "Kollegiatkapitel," 21–23.

11 For the provision aspect of canonicates see ch. 8, section 3.

12 George's deed, 1501 (like n. 9).—A few months later, Duke George improved the furnishing of this memorial through the transfer of the hospital in Dohna to the diocese. See Duke George's deed for the Collegiate Church of Our Lady in Freiberg, October 30, 1501, CDS, II, Vol. 12, 605.

13 See for the following Hinschius, Vol. 2, 38–46, 628–639; Landau, "Ius Patronatus," 127–185; Sieglerschmidt, 91–114, 277–290; Plöchl, Vol. 2, 417–419; Bünz, *Der niedere Klerus*, 297–305; Neumaier, 19 f.

14 See also ch. 3, section 4.

obligation to protect the prebend's wealth.[15] Therefore, it was usually the patron who decided on the allocation of the benefice.

The filling of benefice vacancies was divided into several steps during the late Middle Ages. First, the Patron presented his candidate to the clerical collator, an ecclesiastical official who held the right of *collatio*—the awarding of clerical offices. This was usually the bishop or an archdeacon acting on his behalf.[16] The clerical collator confirmed the patron's presentation (*ius confirmandi*) by undertaking the collation or investiture of the candidate into the holy office. Finally, the collator or the patron led (*ius conferendi*) the candidate to the location of the benefice and granted him the right to receive income from the prebend. These two steps—presentation and collation—were contingent upon one another, so that neither the patron nor the collator could act against the wishes of the other.

In practice, this procedure was often further subdivided and subject to regional differences during the late Middle Ages. In the Thűringian section of the archbishopric of Mainz, the collation was broken down by the collator into three steps.[17] The presentation could also be split into two separate procedures: if a third party possessed the nomination right (*ius nominandi*) of the candidate, then the holder would exercise only the presentation rights. However, according to canon law, the right of nomination was the extent of the patron's influence over the benefice holder. It was the responsibility of the presiding bishop to monitor the cleric's moral behavior and conduct in office, and to discipline or dismiss him.

There is evidence that under Duke George, the ducal presentations for Albertine Saxony were directed to the archdeacons or an official representative of the bishop.[18] Sometimes, when the duke owned the presentation rights, the special nomination right was owned by someone else. So it was in the case of

15 In the case of financial hardship by the founder, the right to a living (*utilitas*) from church property was added in the course of the thirteenth century as the patron's third right.

16 According to canon law, besides the bishop and archdeacon, religious institutions could also carry out collation for their incorporated parishes. See Hinschius, Vol. 2, 650 f.; Bünz, *Der niedere Klerus*, 292, 297.

17 First, a public proclamation of the presentation took place, then shortly after, the institution. This meant the installation of the candidate in his office, which was symbolized by the archdeacon or his representative placing a biretta on the priest's head. The last step, the investiture, took place within the church where the holy office was located. This introduction was administered by a local cleric; "touching the altar, transferring the missal and chalice, and the uncontested entering of the church interior" served as symbolic acts. See ibid., 297–305.

18 See ibid., 297, with n. 15.

Meissen's Purificationis Mariae vicarage[19] and the altar benefice in Annaberg, where it was noted in a comprehensive list of local fiefs: "St Anne's altar, or the fief of Andreas Storz, collator: our gracious lord [the Duke of Saxony], but the city council [of Annaberg] holds the nomination rights."[20] The nomination of a cleric for the prebend was performed by the local mayor as a representative of the duke.[21]

Along with patronage rights, two other canonical legal norms influenced the late medieval realities of awarding benefices. One was the practice by the pope of awarding benefices to his own candidates, overriding the clerical collator or patron by the use of special privileges such as provisions and entitlements.[22] The second was the option for the holder of a benefice of *resignation in favorem tertii*, through which the prebend could be returned to the pope, collator or patron in order to be awarded to a chosen successor. An arrangement for compensation from the succeeding beneficiary would usually be agreed to, such as a yearly annuity.[23] Despite the total dominance of canonical regulations, one should not overlook the fact that holdovers from the institution of feudal law-oriented private churches still existed in the administration of patronages by secular authorities. An example is the practice of priestly oaths.[24]

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19 The Meissen cathedral chapter's certificate of nomination sent to Duke George. Meissen, July 15, 1493, O. U., nr. 8996.

20 The report of bailiff Albrecht of Schreibersdorf as well as the mayor and councilman of Annaberg was sent to Duke George, Annaberg, April 15, 1523, ABKG, Vol. 1, 494–497. The name "Sturzenlehn" is derived from the founder of the altar, Andreas Storz. See the bishop's confirmation of the benefice, November 18, 1519, ibid., 297, n. 1.—About the term "collator" as a title for the patron, see below, section 6.

21 See Duke George's letter to the bailiff of Dornburg, Dresden, November 1, 1524, ABKG, Vol. 1, 760–762. See also n. 24.

22 See Meyer, "Pfründenmarkt"; Schwarz, "Pfründenmarkt"; Ulbrich.

23 This practice was known in three varieties, the *resignatio in favorem tertii*, *resignatio cum pensione* and *permutatio*. See also Gillmann; Plöchl, Vol. 2, 204–206.—For an example of a resignation at the hands of a Wettin ruler, see the following note.

24 See ch. 3, section 4.—The performance by priests of oaths of allegiance to a patron, as a leftover from the institution of private churches, was actually forbidden by the "Nimis" decree of the fourth Lateran Council of 1215. See Plöchl, Vol. 2, 191. However, it was still common in the earldoms of Hohenlohe and Wertheim during the late Middle Ages. See Neumaier; Engel, "Treuebriefe." For taking priestly oaths in Saxony, only rare cases of written evidence have been preserved, such as the case of Kunitz parish (see below, n. 66). They were likely more widespread as a verbal practice. For example, in 1500, Duke Albrecht ordered the bailiff of Langensalza to award the parish of Treffurt—after advocacy by Ernst Schmalstieg—to his son of the same name. In doing so, the bailiff was to "administer an oath to" the priest, and also to his father, in the presence of the municipal

1.2 *How Duke George Employed His Rights of Patronage*

How princes dealt with patronage at the end of the Middle Ages was determined by the norms of canon law, but also by their secular perception of territorial government.[25] Fundamentally, Duke George saw patronage rights as valuable rights of governance and applied them vigorously. Since the beginning of his reign, all presentations were recorded in his own written registers. As was common in the Albertine chancery at the time,[26] an individual cartulary was kept for each region, and an additional one for the duke's vicarages at the Meissen cathedral. Unfortunately, except for an enormous volume with the title "Book of Presentations of Religious Fiefs Awarded Through my Gracious Lord for the Meissen section [of his territory]," only fragments from such reports remain.[27]

An awareness of all available rights of governance is a fundamental quality of a strong ruler. This was also true of Duke George in many areas,[28] for example, in the management of personnel at the territorial university in Leipzig. At the time, this was a field that was considered closely linked to the lower

council of Langensalza, "for personally obtaining such a parish and wanting to reside there; to maintain its structure and its people and preside over the parish faithful; to not reduce religious services; to improve its condition to be honestly and well-spoken of; and to set a good example for its clergy." Duke Albrecht's letter to Albrecht Spitznas, bailiff of Langensalza, Leipzig January 13, 1500, ABKG, Vol. 2, 678, n. 5.—The patronage over the Treffurt parish was a part of governing rights in the bailiwick of Treffurt to be split into three sections between the Wettins, the landgrave of Hesse and the archbishop of Mainz. Schmalstieg's predecessor, Jakob Lyrer, had been presented by landgrave Wilhelm the Elder of Hesse to the provost of Langensalza in 1484. (See ibid.). Lyrer resigned the parish on April 21, 1500 to the benefit of Ernst Schmalstieg in the hands of bailiff Spitznas as representative of Duke Albrecht. For this, he received his provostship in Appenrode. See Jakob Lyrer's letter of resignation, April 21, 1500, O.U., nr. 9360.

25 See Stievermann, *Landesherrschaft*, 29–39 and see ch. 3, section 4.

26 In the notebooks (*Missivenbücher*) of the duke's chancery, the management of series separated by recipients prevailed since 1508. See cop. 110–113.

27 See Loc. 7437/6, Buch der präsentation geistlicher lehen durch m. g. h. verliehen für den Meißnischen teil, 1495–1538; Loc. 10335/29, Buch der Präsentation geistlicher Lehen durch m. g. h. vorliehen vor den theil Sagan, Sorau, Naumburg, Prebus, 1521–1530 (Fragment); Loc. 8987/38, Ducis Georgii Saxon. nominationes et praesentationes quorundam ad vicarias nonnullas in eccles. Misn. vacantes, 1506–1542 (Fragment).—Additionally, some presentations can be found from the era of Duke George in later files. See loc. 7437/11–13, Acta das ius patronatus, kirchlehen und deßhalber entstandener irrungen […] betr., ca. 1500–1700.

28 For Duke George's politics in appointments to the Meissen cathedral chapter, see ch. 8, section 3.

clergy. With Duke George, it was the first time since the founding of the university that a territorial ruler had exerted strong influence over the filling of positions in the colleges. This was so at both the prince's Great College and Small College, and therefore also with regard to the "benefice pool" which primarily financed the teaching staff of the faculty of arts. Hinting at the Wettins' rights as founders, George suspended the cooption principle by decree and named his own candidates for open positions.[29]

If this was a time when the exercise of personal authority was still a prerequisite for strong governance, then the importance of Duke George's territorial patronage rights can be measured by the fact that he also personally held on to benefices of lower value. This was mentioned on July 21, 1518 by Duke Johann the Younger—holder of the governorship while his father attended the diet in Augsburg—regarding the management of a vicarage in the Treffurt hospital in Thuringia. The prince carried out George's express order, "to retain religious fiefs that are his lordship's to bestow as his lordship ordered." Duke George actually took time on the periphery of the diet to personally decide on the filling of the vicarage vacancy.[30] Also, while the prince was waging the Friesland war, Cäsar Pflug advised the Altenburg chapter in the name of the duke's governors "that it is not appropriate for us to make an award regarding this fief in the absence of our gracious master.[31] An example from the time of Duke George's temporary regency on behalf of his father, Albrecht, clearly reveals the scruples of his advisors with regard to the young prince-regent by their failure to follow this basic rule. One of George's most important office holders was Johann von Werthern, the administrator of Thűringia, who resided in Neuenburg Castle in Freyburg near the Unstrut River. In August of 1495, he sent correspondence to Dresden in support of filling a benefice vacancy in the local castle chapel of St Niclas. A committee of advisors remaining at court was meant to represent the young duke in his absence. However, they prepared a presentation under pressure from Werthern on behalf of his candidate. In the end, the Dresden council was apparently uneasy about the matter. They wrote an additional warning that the candidate should be vetted once more and only invested if Werthern himself was willing to face Duke George and take responsibility for him.[32]

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29 See Duke George's letter to the fellows of the prince's college in Leipzig, Dresden, October 18, 1512, cop. 116, fol. 288v.

30 Duke Johann the Younger's letter to Duke George, Dresden, July 21, 1518, ABKG, Bd. 1, 38 f.; Duke George's letter to Duke Johann the Younger, Augsburg, July 31, 1518, ibid., 40 f.

31 Caspar Pflug's letter while he was Duke George's governor to the Altenburg chapter, Leipzig, April 25, 1514, cop. 119, fol. 12v; partially edited: ABKG, Vol. 1, 38, n. 3.

32 Presentation of Duke George's governor for Benedictus Cuntzel, Dresden, August 26, 1495, cop. 105, fol. 207v; Letter from the same to Hans von Werthern, Dresden, August 26, 1495, ibid.

The duke vehemently defended his own rights of appointment against threats from third parties, invoking the bishops' as well as the pope's authority.[33] He devoted special attention to preventing lawsuits concerning Saxon benefices before the Roman curia and also worked to prevent and defend against Roman provisions. While he relied on the work of his procurators in Rome, the duke also exerted direct pressure on the complainants or provision owners to back down from their demands.[34]

An exemplary case from the years 1516 to 1519 is worth examining more closely, since it concerns both local and Roman levels. The Wettins had founded an altar fief at the local parish church in the village of Seelitz near Rochlitz. The benefice certificate, however, had made its way into the hands of the Seelitz pastor, who started to award the fief himself. In 1516 Duke George was made aware of the "missing" legal title. He reported that he had "come upon a certificate of our ancestors, and after having looked into our legal rights, we have awarded the benefice to a priest, master Luce Mathei."[35] Perhaps he had come across the old legal title in the archive of his chancery.[36] Its reactivation,

33 See, e.g., the case of the parish of Tennstedt, where Duke George's 1516 right of appointment was challenged by Canon Friedrich Mattorff of Frankfurt. Duke George demanded that the representative of the archbishop of Mainz exert pressure on the canon. At the same time, however, he arranged through two procurators in Rome for a papal brief that referred the case to the authority of the bishop of Merseburg and the dean of St Severi in Erfurt, who were both positively inclined toward him. See Duke George's letter to the Count of Königstein, governor of the archbishop of Mainz, Leipzig, January 5.

34 E.g., in the case of the intended Roman lawsuit by Johann Ferber. See Duke George's letter to [Dr. Günther von Bünau zu Schkölen], the cathedral dean in Naumburg, Dresden, November 15, 1508, cop. 110, fol. 27v; Duke George's letter to Hans von Werthern, Dresden, November 15, 1508, cop. 112, fol. 17v. This is exactly how he dealt with the case of Master Sebastian Steude, who first tried to acquire the vicarage of St Andrew in Meissen, and then the vicarage of St Bartholomew, by using a papal provision. Both vicarages were under the duke's patronage. See Duke George's letter to Master Sebastian Steude, Dresden, August 12, 1521, ABKG, Vol. 1, 182; Duke George's letter to Dr. Nikolaus von Heinitz, Schellenberg, September 30, 1521, ibid., 193. See also p. 140–149, and ch. 8, section 3.

35 Duke George's letter [to licentiate Jakob Gertewitz in Rome], Dresden, March 4, 1519, ABKG, Vol. 1, 75 f.

36 Duke George's testimony of August 1516 indicates the point at which his candidate will "present genuine copies of the benefice [...]" and at the same time, the priest from Seelitz is accused of dealing "fraudulently with forged copies" (Duke George's letter to the provost of Zschillen, August 3, 1516, ABKG, Vol. 1, 75, n. 2), whereby the priest from Seelitz actually did possess the original benefice certificate: "Now according to our elders, the priests in Seelitz have received the certificate in earlier times." Duke George's letter to Gertewitz, 1519 [as in n. 35]).

however, required persistence, since the earlier title needed to be provided with factual legitimacy once again. The pastor in Seelitz had actually passed the benefice further along, and income from the fief was already flowing to his candidate, Johann von Techwitz. Duke George turned several times to the clerical collator, who was provost of the Teutonic Order in Zschillen. Seelitz was located in his archdeaconate of the same name.[37] In a letter dated August 3, 1516, the duke accused the pastor of forging documents and threatened legal action if he did not withdraw his claims.[38] At the same time, it was to George's advantage that he was also able to denounce the Seelitz priest for illicitly living in sin with a woman who happened to be married. Thus, according to Duke George, the pastor was not only living an unpriestly lifestyle, he was also placing all the village inhabitants in danger. The cuckolded husband had already threatened to burn down the rectory, and it was necessary for the provost to intervene immediately.[39] In the fight for the patronage, George's two-pronged attack on the reputation of his competitor was apparently not lost on the collator. Indeed, the duke managed to have the benefice awarded to his candidate by the provost, and he provisionally secured the patronage rights for himself.[40]

However, this case caused repercussions in Rome. In 1517, John of Techwitz had gone to Rome with the intention of attempting legal action regarding the benefice. The duke's procurator Nikolaus von Hermsdorff was, nonetheless, able to divert Techwitz from his plan,[41] but the case was not yet closed. Another cleric in Rome, Valentin Klutczer, filed suit for the embattled altar two years later. He too had received a presentation from the Seelitz pastor, and now he summoned Lucas Mathei to appear before the bench of the Roman Rota. Once

37 To a degree, the provost of Zschillen was servant to two masters in that he simultaneously occupied the archdeaconry of Zschillen under the bishop of Meissen and the archdeaconry of Rochlitz under the bishopric of Merseburg. Seelitz belonged to the archdeaconry of Zschillen. See Blaschke/Haupt/Wiessner, 25.—Duke George's presentation of February 19, 1516 provides evidence that the provost had received the collation rights. ABKG, Vol. 1, 75, n. 1.

38 See Duke George's letter to the provost of Zschillen, n.p., August 3, 1516, ABKG, Vol. 1, 75, n. 2.

39 Duke George's letter to the provost of Zschillen, Dresden, May 6, 1516, ABKG, Vol. 1, LVI, n. 2; Duke George's letter to the bailiff of Rochlitz, Dresden, May 6, 1516, ibid.

40 This documents Nikolaus von Hermsdorff's letter to Duke George, Rome, July 5, 1517, ABKG, Vol. 1, 76, n. 1. In it, Hermsdorff reports on his discussion with Techwitz during which he was able to divert Techwitz from his lawsuit and convince him to seek justice before Duke George himself. As a result, Techwitz was no longer in possession of the altar fief at this time.

41 Ibid.

again, Duke George had to engage one of his procurators, Jakob Gertewitz, to defend his patronage rights, "so that legal action will be averted and we may retain our jus patronatus."[42] If the lawsuit was not stricken, the procurator was instructed to make sure that, at least, "the case will be committed to the bishop of Meissen."[43] Apparently, Duke George hoped for a favorable outcome due to his close relationship with Johann VII.

The efficient utilization of patronage rights required rigorous administration. This began with gathering together one's own legal titles. Valentin Teschel, the holder of two religious fiefs in Grossenhain, died in early 1493. Once the cleric's death came to Duke George's attention, he ordered the Meissen cathedral chapter to be executors of the estate, that they separate the benefice certificates of one of the Grossenhain altars from the inheritance, and that they should be sent to him. On the basis of having secured these documents, which appeared to indicate the prince's right of patronage, he laid claim to the Grossenhain municipal council and possession of the altar just four days later.[44]

Finally, the desire to actively exploit all available patronages was also indicated by the handling of appointment rights that the duke had actually relinqished. This brings us once again to the transfer of the Dohna parish back to the collegiate church in Freiberg. Duke George had given away the patronage rights to the Freiberg church in 1501, and had even given his approval for incorporation. Nonetheless, on July 8, 1513, he presented master Johannes Still to the archdeacon of Nisan for the parish position and, in doing so, referred to the patronage rights he still felt entitled to.[45] It seems that the collegiate church, which had the original presentation documents in its archives, did not protest the appointment. When Father Still died in 1533, Duke George once more became involved at the request of the Dohna churchwarden. This time, he ordered the Freiberg canons to quickly find a replacement for the priest.[46]

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42 George's letter to Gertewitz, 1519 (as in n. 35).

43 Ibid.

44 Duke George's letter to Meissen's cathedral chapter, n.p., March 9, 1495, cop. 105, fol. 108v; Duke George's letter to the council in Grossenhain, n.p., March 12, 1495, ibid., fol. 111v.

45 The unusual circumstances are not discernible from the letter of presentation. It explains that Nikolaus Rabenstein resigned from the parish and Duke George *"cujus collatio seu jus patronandi ad nos pleno jure dinoscitur pertinere,"* awarded it to Johannes Still. Duke George's letter of presentation to the archdeacon of Nisan, Dresden, July 8, 1513, CDS, II, Vol. 12, 602, n. 1.

46 See the summary of Duke George's letter to the College Church of our Lady in Freiberg, n.p., December 13/15, 1533, ibid.

When choosing candidates, the duke often relied on recommendations from his surroundings. People with influence at the ducal court might hope to launch their own candidates with a well-timed recommendation—as long as no one with more influence beat them to it. Conversely, clerics who had their eye on benefices did well to seek the patronage of the duke's counselors and officials. Here, the same career rules applied as in all premodern European courts.[47] The opportunity to "have informal influence on people with collation rights"[48] was available to quite varied groups of people. One must cite Duchess Barbara from his closest circle, who made many appointment suggestions to her husband.[49] Members of the duke's management elite also had especially good opportunities to exert influence, including court advisors, office holders and the Meissen canons.[50] Occasionally, Duke George would also respond to the requests of simple clergymen who wished for their fief to be passed on to a specified successor, as was common in the late Middle Ages.

The way in which such an exertion of influence might have played out is illustrated by a 1506 case study in Meissen. Elisabeth von Schleinitz, the widow of an influential marshal, Hugo of Schleinitz († 1490),[51] awarded the Krögis parish to a priest who had previously held a vicarage in the Prince's Chapel. Part of the agreement was that the priest would resign his vicarage in favor of one of Mrs. von Schleinitz's chosen successors. In order to get permission from Duke George as patron of the Prince's Chapel, the elderly widow employed her sons. Wolfgang, who was a canon in Meissen, wrote to the duke and recommended the candidate. However, the advocacy of Henry of Schleinitz was even more important. As a long-standing marshal of the court, he was the most important of the duke's advisors, bar none.[52] At just the right moment, "after the Easter supper in Meissen," he made his request to the duke. Shortly after, Duke George gave Canon Wolfgang his verbal consent. However, the duke did not allow the appointment until receiving information about the candidate's

47 See Bünz, *Der niedere Klerus*, 292–326; Meyer, "Pfründenmarkt," 266–279. For research discussion about patronage and clientele, see the literature at p. 140, n. 64.

48 Bünz, *Der niedere Klerus*, 306.

49 E.g., a benefice at Dresden's Church of the Holy Cross, whose owner, the former Radeberg priest master Urban Dornau, was still on his death bed. The duchess recommended that one of her own servants be appointed "as God's will and also my will." Duchess Barbara's letter to Duke George, n. p., September 4, 1514, loc., 8498/1, fol. 241.

50 See e.g., lobbying by the administrator of Thüringia, Hans von Werthern (See n. 32).

51 For both persons, see Schirmer, "Herrschaftspraxis," 370 f.

52 See p. 99 f.

moral conduct from a further confidant, his former chancellor and Meissen canon, Dr. Nikolaus von Heinitz.[53]

When someone, such as the Leipzig vicar Christoph Überacker, wished to resign a ducal fief in favor of a successor, he had to submit his supplication to the duke and make an effort to persuade him. In his letter of August 19, 1521, the aged cleric emphasized not only the gratitude of his young aide, but also his qualifications as a candidate. Andreas Fischer, the baccalaureate who Überacker had hired because of his own advanced age, had worked for several years as a conventor and had "studied hard, and has also sung the Hours at St Catherine's for a number of years; he also did my lodging and diligently performed other tasks that I required of him. He was also very pious." However, to ensure gaining favor from the duke for his planned resignation, Überacker did not shy away from mentioning his own earlier accomplishments as advance compensation for the generosity he now sought. Duke George was to "consider that I endowed his honor with a fief in his lordship's castle church in Leipzig." Indeed, Überacker had founded an altar fief in the castle chapel in Leipzig in 1509 with an accompanying piece of land by the Pleissenburg fortress valued at 526 florins.[54] This was validated by a certificate of confirmation stored in the Merseburg cathedral archives.[55] Überacker's assertions were convincing, and on September 9, 1521, Duke George awarded the Delitzsch Hospital benefice as requested.[56]

The exchange of a fief for a long-term pension was one way that benefice economics were conducted in the late Middle Ages. This occurred in the case of the Radeberg rectorate, which the owner relinquished in the summer of 1509 for a yearly sum of twenty-four florins.[57] By accepting the principle of *resignatio in favorem tertii*, Duke George also allowed the lower clergy a limited say in the awarding of prebends.

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53 Dr. Nikolaus von Heinitz's letter to Duke George, Meissen, July 16, 1506, loc. 8987/38, fol. 3r.—Heinitz's response letter indicates that a second candidate was also being considered who had been proposed by the cathedral deacon, Dr. Johannes Hennig.

54 Christoph Überackers's supplication to Duke George, Leipzig, August 19 [1521], loc. 8987/38, fol. 5r.

55 Duke George's confirmation of the benefice, Leipzig, October 11, 1509, Domstiftsarchiv Merseburg, Berb. VII, nr. 42, fol. 69 f.

56 Chancery notes about Andreas Fischer's presentation in a letter to George of Benndorf, bailiff of Delitzsch, Schellenberg, September 9, 1521, loc. 8987/38, fol. 8v, edited: ABKG, Vol. 1, 192, n. 2. The note is found as an important comment added to Überacker's supplication.

57 Confirmation by Duke George regarding the resignation of the Radeberg priest, Master Urban Dornau, Dresden, August 27, 1509, cop. 110, fol. 204v.

Regardless of whether a former benefice holder or an influential advisor proposed the candidates, the duke clearly paid attention to the qualifications of the cleric. The key prerequisites that were continually mentioned in the letters of recommendation were personal piety, as expressed by a chaste lifestyle, plus the willingness to take up residence and assume personal responsibility for all duties associated with the prebend.[58] Depending on the kind of benefice involved, the education of the candidate also played a role.[59] The question of orthodoxy was added to the mix during the Reformation and quickly became the dominant criterion.

An instructive example is offered by the dispute concerning the nomination to St James parish in Sangerhausen in 1523. The duke owned the right of patronage, but the right of nomination had been contested for years between the abbess of the Sangerhausen Cistercian nuns and the municipal council.[60] In the summer of 1523, when the parish was in need of a new appointment, Duke George was determined to grant the abbess the right to name a candidate.[61] The council countered, however, by nominating master Ulrich Grempler, a man with a university degree. Due to his higher qualification, George's sons, representing their father, decided in favor of the "municipal" candidate "whom we consider better suited because of his diploma."[62] The story took another turn, however, when the abbess made it known that Grempler had not only refused to pay the convent the pension he owed,[63] but was also "a supporter of

58 In the above-mentioned case of the vicarage in Meissen's Prince's Chapel, Dr. Nikolaus von Heinitz mentions as criteria personal piety and a chaste lifestyle ("he is a very devout man and one who lives properly"), as well as the willingness to take up residence (letter from Dr. Nikolaus von Heinitz to Duke George, Meissen, July 16, 1506, loc. 8987/38, fol. 3r). Christopher Überacker's supplication also mentions piety as a criterion. See Überacker's supplication [1521] (as in n. 54).

59 See, along with the case of Sangerhausen parish (described in the following), Christoph Überacker's supplication, which describes diligent study as a criterion. See Überacker's supplication [1521] (as in n. 54).

60 See ABKG, Vol. 1, 519, n. 1.

61 See Duke George's letter to the abbess and Cistercian convent in Sangerhausen, Dresden, June 20, 1523, ABKG, Vol. 1, 519.

62 Letter from Dukes Johann the Younger and Friedrich the Younger to the bailiff of Sangerhausen, Dresden, July 1, 1523, ABKG, Vol. 1, 537 f. To avoid putting the abbess's right of nomination in doubt, she was asked to nominate Grempler herself.

63 The parish was incorporated into the convent, and therefore had to pay a yearly pension to the convent. See George's letter to the Sangerhausen Cistercian convent, 1523 (as in n. 61).

the seductive new teachings."[64] George's sons immediately ordered their bailiff to investigate the accusation and announced that, if confirmed, the convent's candidate would be presented—which, in the end, is what occurred.[65] In choosing between one's level of education and one's reputation for orthodoxy, the decision by the Albertine rulers was unequivocal. In 1522, Duke George even went so far as to require a newly appointed priest to swear an oath of orthodoxy and also swear to his intention to take up residence. The priestly oath created by Vitus Keller for the Kunitz parish within the Naumberg diocese is found in the postscript of a letter of presentation: "the parish is granted to him under the condition that he has approved and agreed to personally move to the parish and reside there continuously and completely within one year. He must not turn to one of the new concepts that are in circulation, and instead remain true to proper Christian teachings."[66]

Certainly Duke George must have relied on recommendations and letters of intent when evaluating qualifications and, if necessary, he questioned third parties when looking into the reputation of candidates. Despite all the modern scepticism regarding the effectiveness of such investigations, it remains a fact that the duke felt entitled to examine the professional and personal competence of candidates.[67] In doing so, he assumed a responsibility, which, according to canon law, was only allowed to the bishop.

1.3 *Using Rights of Patronage for Church Politics*

Despite the many examples of successful third-party recommendations for appointments, it would be a limited view to assume that the duke's patronage was just a market for benefices. Duke George's patronage rights were not only used to reward his own advisors for acceptable recommendations, they were also meant to provide income for the clerics themselves. The highest priority was given to the livelihoods of religious personnel at the court and of those in service to the prince. Court chaplains and scholarly advisors were the two

64 Letter from Dukes Johann the Younger and Friedrich the Younger to the bailiff of Sangerhausen, Dresden, July 7, 1523, ABKG, Vol. 1, 539 f.

65 See ibid.; letters from Dukes Johann the Younger and Friedrich the Younger to the council and abbess in Sangerhausen, Dresden, July 11, 1523, ABKG, Vol. 1, 540 f.

66 Duke George's letter of presentation to Wolfgang von Stolberg, cathedral provost in Naumburg, o.O., May 11, 1522, loc. 10335/29, fol. 1a, partially edited: ABKG, Vol. 1, 760, n. 4.

67 "Hereabouts, when you propose a skilled and capable man for a priest's appointment […], whom we likewise find to be so, we are inclined to grant approval and wish to present him for the priest's position." George's letter to the Cistercians in Sangerhausen, 1523 (like n. 61). See also above, the case of the Neuenburger Castle altar, for which the Dresden governor Werthern mandated a review of the candidates' oaths. See n. 32.

most important groups of clerics who worked directly for the duke without being paid an actual salary. To fund their income, the duke transferred benefices to them. This form of external financing of administrative personnel with ecclesiastical fiefs was customary. During the thirteenth and fourteenth centuries, as princely chanceries were manned by clerics, the management of these resources was taken on by secular rulers. The financing of many educational projects also followed this pattern, above all the universities. The damage to ecclesiastical life caused by the separation of benefices from holy offices was one of the most severe structural problems of the pre-Reformation church. It can be directly attributed to secular influence.[68]

The most lucrative prebends available to the duke for funding purposes were the canonicates of Meissen, Merseberg and Freiberg. They were primarily sources of compensation for scholarly advisors and university instructors;[69] however, the parish and altar fiefs under ducal patronage also presented attractive sources of income. These were clearly less lucrative and, as the following example will show, this caused an absence problem, which quickly led to another issue—prebend pluralism.

George had already learned from his father how to use patronage rights during the late Middle Ages. On September 5, 1493, the Elder wrote to his son from Mecheln in Flanders and ordered him to award the settled fief at Radeberg parish to his chaplain, Master Urban Dornau. Because Duke Albrecht did not know exactly to which collator he should present the candidate, he left the finalization of the presentation to Duke George.[70]

In the following years, Duke George also compensated his court chaplains and preachers from the pool of benefices under ducal patronage. The most famous of George's court chaplains was Hieronymus Emser.[71] The Swabian humanist had worked from 1505 as a secretary in service to the prince until 1510 before being relieved of daily business to fulfil the assignment of writing a *Vita Bennonis*. From that point on, he was designated court chaplain to the prince.

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68 See Sieglerschmidt, 277–283.

69 See ch. 8, section 3.

70 "Because neither we nor our people know who is to invest him, nor have we been able to present him in the appropriate manner, we wish to place it in your gracious care to grant the selected master a presentation and to complete it." Duke Albrecht's letter to Duke George, Mecheln, September 5, 1493, loc. 7440/7, fol. 1r.

71 For Emser's biography, see Kawerau; Thurnhofer, *Emser*, 9–21; Volkmar, "Emser"; for his writings see also Smolinsky, *Alveldt und Emser*, 24–47; Volkmar, *Heiligenerhebung Bennos*, 125–156. For his role in Duke George's church politics see ch. 13 and 23.

Duke George ensured Emser's financial support by presenting him on October 3, 1509 with the altar fief of Beatae Mariae Virginis in the salvation choir of Dresden's Church of the Holy Cross. Its income derived from interest earnings and jurisdiction in Grosserkmannsdorf near Radeberg.[72] Emser probably took the responsibilities for religious services accompanying the altar benefice seriously, since he took up permanent residency in the altar's free house in Dresden.[73] To date, the altar in Dresden is the only known prebend belonging to Emser that research has confirmed. However, Gustav Kawerau has pointed out that Emser himself mentions in his work *A venatione Luteriana aegocerotis assertion*, that Duke George had arranged *two* benefices for him in order to provide him leisure to conduct his humanist studies.[74] Franz Xaver Thurnhofer also speaks of a vicarage in Meissen, although without further supporting evidence.[75]

A recent discovery in the Meissen Cathedral Archives could be helpful with regard to Emser's second benefice. Duke George and Duchess Barbara, who always attended Easter festivities in Meissen, certified a donation for the celebratory arrangements during the last three days of Holy Week at the Meissen cathedral. A portion of the gift was the disbursement of attendance fees to cathedral clergy.[76] The attendance lists for this prebend from the years 1513,

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72 See ABKG, Vol. 1, n. 3.—For further messages about Emser as altar holder see Document by Hieronymus Emser, November 6, 1522, CDS, II, Vol. 4, 265; Confirmation by Hieronymus Emser for a sales contract, Dresden, May 2, 1527, ibid., 266.

73 When Cochlaeus possessed the altar in 1536, the commitment to religious services was fulfilled by seven weekly masses. The income added up to enough for "a proper free house, 12 ß., 31 gr., 3 d. currency, 4 malder, 10 sch.[effel], 4 virtel grain, 4 malder, 10 sch.[effel], 3 virtel oats, 1 ß. 32 chickens, 9 ß. Eggs." Income account from the altar benefice in Dresden, February 24, 1536, loc. 9837/20, fol. 1–11, here fol. 1r.

74 Looking back, Emser recounts his career in Saxony. *"Ita nunc quintumdecimum inter Misnenses ago annum, e quibus in sextum usque illustrissimo ac clementissimo principi meo ab epistolis inserviens duobus donatus sacerdotiis, ipso bene favente, ad literarum ocia redii."* Hieronymus Emser, *A venatione Luteriana aegocerotis assertio* [Leipzig: Martin Landsberg 1519], Thurnhofer, *Emser*, 42–99, here 93. Afterward, Emser spent 15 years in Saxony (from 1504/5), serving six years as secretary to Duke George and ultimately receiving two benefices. See also Kawerau, 18.

75 See Thurnhofer, *Emser*, 93, n. 11.—The dubious information spread by Kawerau that Emser had become a Meissen canon, surely did not correspond to the facts. However, it was more likely an over-interpretation of a bit of chronicled text which referred to Emser and the cathedral dean Hennig as *"fratribus concanonicis"* upon their return in 1510 from a trip to research Benno. See Kawerau, 18, 115.

76 See Duke George's and Duchess Barbara's documents, Dresden, March 23, 1513, CDS, II, Vol. 3, 329–332, here 331 f. about attendance payments.

1515, 1516, and 1527–1530 have been preserved in the Meissen archive. There, Hieronymus Emser's name appears under the category "*ordo vicariorum* […] *in choro domini preposi*" for the years 1513, 1515, and 1516. It is marked each time with a "p" to indicate that he was present in the cathedral and received a payment of three Groschen for his attendance.[77] Because court chaplain Emser's residence was actually in Dresden, it seems probable that he joined Duke George's retinue during the obligatory Easter visit in Meissen. In any case, the discovered documentation reveals that by 1513 at the latest, Emser held a vicarage at the Meissen cathedral in addition to his Dresden altar benefice. Further, as Emser's own comments suggest, it was one of the eleven vicarages under the duke's rights of patronage.[78] His friend Cochlaeus estimated Emser's yearly income in 1521 at eighty florins, which corresponded to the income from a large vicarage.[79]

After Emser's death in 1527, Johannes Cochlaeus was appointed to the Dresden court. Not only did he follow in Emser's footsteps to become the court chaplain and a controversial journalist,[80] but Duke George financially supported him in the same way through the altar prebend at Dresden's Church of the Holy Cross. Cochlaeus was also not confined to just one prebend. Already in possession of a major benefice as dean of St Mary's convent in Frankfurt, he was presented by Duke George for a canonicate at Meissen cathedral a short time after arriving in Saxony.[81] Cochlaeus resided there in his own canonical curia when he was not spending time at court. In Dresden, he arranged for a vicar to cover his responsibility to conduct masses.[82]

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77 Hochstiftsarchiv Meissen, C 2801a, Faszikel 6 [1513, 1515/16], C 2803 [1527–1530]. This account from 1513 documents the actual amount of attendance payments disbursed: 25 canons, vicars, and choristers present *"in choro domini prepositi"* received altogether 75 gr., while the attendance payments for 23 absentees (the bishop himself was also listed) was given to the church fund (*"cedit Fabrice"*) in the amount of 69 gr. Subsequently, the list for the clergy *"in choro domini decani"* followed, as well as the choristers in the large and small choir, and the vicars of the Prince's chapel. Altogether, there were 127 members of the cathedral clergy, 85 of whom were present, with an intended payment of 381 gr.—For providing a transcript, I thank my colleague Markus Cottin M.A. (Leipzig).

78 See n. 6.

79 See Friedensburg, Aleander, 328, n. 25. For data on parish income in Thuringia, see *Bünz, Subsidienregister*.

80 For the person, see Bäumer; for his appointment in Saxony, see p. 567 f.

81 See Loose, "Domklerus," 359, n. 12.

82 This is probably a reference to a note (dated 1536) in a file from the vicar's administration of the altar, in which the relatively high amount of 6 fl. 48 gr. was mentioned "Cochlaeus

Multiple benefice awards and the absences they created were quite typical of Duke George's practice of providing for close clerical staff members. The income from combined prebends was enough to ensure that qualified clerics remained at court. The duke doesn't seem to have been plagued by scruples, and was certainly not doing anything out of the ordinary. Besides, when it came to Emser and Cochlaeus and their literary activities in support of the old church, he could take credit for the fact that the prebend money appeared to have been well invested.

Duke George's funding methods are instructive in illustrating how he functionalized his patronage rights, even if he exceeded the limits of canon law. If the right kind of position was not available, the duke might go so far as to urge the rightful occupant of a benefice to resign, so that he could award it anew. This was the case in 1508, when he wished to provide for a long-serving professor of the law faculty, Dr. Johann Schanz. According to the source, the professor had decided to "become religious" (i. e. take clerical vows) in his old age. A priest in Dresden who owned a suitable altar benefice in Leipzig was tersely informed that "my good lord, Duke George, will be re-awarding the benefice at St Peter's parish in Leipzig," in order to provide funding for the scholarly advisor.[83]

Above all, Duke George's funding methods showed that his options for gaining access to the benefices of the lower clergy were not limited to his own patronage rights. This was true, for example, in the practice of exchanging prebends. In 1495, George was able to obtain an ecclesiastical benefice in Lommatzsch for a priest called Georg, his court chaplain, despite it being under the patronage of the citizens of Lommatzsch. He did this by awarding the ducal patronage of the Lommatzsch parish to the holder of the benefice, Master Martin Meusel.[84]

Another court chaplain and court preacher, Master Christoph Ering from Leipzig, received financial support from a combination of his own and other ecclesiastical prebends. After first making his appearance as Duke George's

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must reimburse." Income records of the altar benefice in Dresden. February 24, 1536, loc. 9837/20, fol. 1–11, here fol. 1r.

83 Duke George's letter to the rector of the Dresden parish, Leipzig, October 26, 1508, cop. 110, fol. 18r.

84 Duke George's letter to the citizens of Lommatsch, n.p., March 11, 1495, cop. 105, fol. 109v; Duke George's presentation for Master Martin Meusel, n.p., March 11, 1495, ibid., fol. 110v.— Georg was Duke George's first known court chaplain, as a note from the same cartulary indicates. See, ibid., fol. 150v.

chaplain at the Augsburg diet in 1518,[85] diverse efforts were made to financially support him during the fall of 1521. First, the duke awarded the unoccupied vicarage of St Bartholomew at the Meissen cathedral to Ering.[86] Duke George put him in the running for an already settled ecclesiastical benefice at the hospital in Delitzsch. This prebend, however, was not under ducal patronage, and Duke George didn't even know to whom the patronage belonged. "And, although we are inclined to have our aforementioned chaplain make the presentation from our chancery, we've had no knowledge as to who the patron of the benefice is and who would perform the investiture."[87] Nonetheless, the duke was determined to obtain the "ownerless" prebend for his chaplain. In both cases, Duke George's singular interest was the income from the benefices, since he didn't even have the chaplain personally attend the investiture. The plague was also raging in the Elbe Valley, and he wanted to be sure that Ering was with him in the safety of Schellenberg Castle.[88] When the income from Delitzsch was delayed (although only two weeks had passed since the presentation), Duke George ordered his local bailiff to put pressure on the town clerk to pay the ecclesiastical interest to Ering's procurator.[89] Incidentally, a receipt dated 1524 shows that Ering's requirements were not yet satisfied.[90] Some years later, Ering was transferred in order to reinforce Catholic faith in George's beloved Annaberg, but he fell out of favor with the prince as soon as[91] he became drawn to the Reformation. In 1529, he was removed from his Annaberg

85 See ABKG. Vol. 1, 192, n. 3—While still at the Friesland military campaign in 1514, Duke George had another chaplain accompany him, Master Wolfgang Gulden. He apparently gave up the post of court chaplain when granted the Pirna parish in 1516.

86 See Duke George's letter to Dr. Nikolaus von Heinitz, Schellenberg, September 30, 1521, ABKG, Vol. 1, 193.

87 Duke George's letter to the bailiff of Delitzsch, Schellenberg, September 21, 1521, ibid., 192.—Duke George was made aware of the vacant prebend by the bailiff Georg von Benndorf. See ibid.

88 See ibid. and Duke George's letter to Heinitz, 1521 (as in n. 86).

89 See Duke George's letter to the bailiff of Delitzsch, 1521 (as in n. 87).

90 An agreement between Ering and Dietrich von Techwitz, the dean of Wurzen and Saxon representative to the Imperial Chamber Court, ensured Ering the conveyance of two ecclesiastical fiefs from Techwitz should Duke George present Techwitz for the next vacant canon position in Meissen. This was probably meant to be compensation for Ering's advocacy on George's behalf. See Dietrich von Techwitz's letter to Bishop Johann VII, from Meissen, Nűrnberg, April 20, 1524, ABKG, Vol. 1.

91 In June 1526, or perhaps as early as May 16, 1525, one finds evidence of Ering serving as a preacher in Annaberg (see ABKG, Vol. 2, 871), where he first met with anger from Duke George. This was because he recommended the evangelical preacher Andreas Bodenschatz to Duke Heinrich for a preaching vacancy in the Magdalene convent in

ministry and required to return his letters of presentation for the Meissen and Delitzsch benefices without compensation.[92]

In other respects, the complexities of the Delitzsch hospital benefice shine an illuminating light on the contemporary politics of filling vacant positions. At the same time as the Albertines, Cardinal Albrecht of Brandenburg also tried to secure the Delitzsch fief for his own candidate. In doing so, he claimed the right of first request for himself as the archbishop of Magdeburg. Two letters from Duke George reveal the strategies of argumentation used to fend off the claims of his competitor. George did not mention a single word about the candidate whom he himself wished to push through for the benefice. Instead, he presented himself as simply a mediator on behalf of the Delitzsch council, which was legally required to fund the nomination. The council requested that Albrecht rescind his demands, and take into consideration the "trials, squabbles and displeasure" that those in Delitzsch were enduring because of the dispute over this vacancy. Further, he risked inhibiting "the further founding and advancement of ecclesiastical prebends, […] especially after the present state of affairs."[93]

Because of his own self-interest, Duke George's moralizing argument comes across as almost cynical. Furthermore, it is odd that in the just-quoted letter of September 16 to Cardinal Albrecht, the prince seems to have been well informed about the nomination rights of the town council and the presentation rights of the Delitzsch pastor. In his own September 25 letter of presentation to the Delitzsch bailiff, however, he claimed to be "uninformed about who the patrons of the fief are."[94] As Cardinal Albrecht continued to persist in pushing for his candidate, Duke George resorted to pretenses with a complete falsification of facts in his second letter of October 26. He informed Albrecht that his right of first request (*ius primariarum precum*) was invalid, since it only counted as a recommendation, and in Delitzsch the situation was already a fait accompli. Secondly, he claimed that, "by the right of their autonomous authority, our subjects in Delitzsch have nominated a local burgher to their pastor, who has the right to award the fief."[95] Duke George transformed an unjustified

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Freiberg. See Duke George's letter to Master Christoph Ering, preacher in Annaberg, Dresden, June 20, 1526, ABKG, Vol. 2, 556 f. (also: CDS, II, Vol. 12, 477).

92 See letter from the same to the same, Schellenberg, September 8, 1529, ABKG, Ms. Werl, nr. 1898.

93 Duke George's letter to Cardinal Albrecht, Schellenberg, September 16, 1521, ABKG, Vol. 1, 191.

94 Duke George's letter to the bailiff of Delitzsch, 1521 (like n. 87).

95 Duke George's letter to Cardinal Albrecht, Schellenberg, October 26, 1521, ABKG, Vol. 1, 198.

presentation of his own court chaplain from Leipzig into the legitimate nomination of a town resident by the citizens of Delitzsch. The deceitful tricks employed by George to persevere in his goal of subsidizing his clerical personnel indicate how important this was to an otherwise especially righteous prince.

Just as George rewarded useful recommendations from secular confidants, he also used the ducal patronage rights to fiefs as a resource for his church politics. Maintaining good relations with Bishop Adolf of Merseburg was the motive behind Duke George's agreement to a typical benefice exchange transaction in 1521. Once more, it centered around the often referred to altar fief of the Blessed Virgin Mary in the village of Seelitz near Rochlitz. Meanwhile, Master Lucas Mathei's fall into an impious lifestyle led to indebtedness, reason enough for him to resign his benefices at the request of Duke George.[96] The chaplain under allegiance to Merseburg's bishop, Caspar Dehn, convinced Mathei to transfer the already forfeited benefices. With the bishop's permission, Duke George awarded the vicarage to the chaplain. In the meantime, however, Dehn had fixed his eye on a lucrative source of income from the prebend market in Central Germany. He now wanted to trade the vicarage for a canonicate in the St Nicolas collegiate church of Magdeburg, which was held by Dean Peter Kleinschmidt from Zerbst. Bishop Adolf wrote to Duke George about the matter on April 22, 1521 and requested that he acknowledge the arrangement made by the two clerics, and that the vicarage be awarded to the dean from Zerbst. As he had for the previous holder, Dehn, it was expected that George would allow the new owner to possess the prebend while absent.[97]

Duke George made mention of his approval in an order to his sons, who worked for their father as governors in Dresden. In doing so, he placed the granting of a political favor to the bishop at an explicitly higher priority than his discussion in Worms concerning reform ideals within the framework of the German nation's gravamen: "even though we have had difficulties in granting further releases from residency, as our uncle has requested from the bishop, we have in fact granted this release, since we are inclined to give consent for the sake of his dear memory […], and in order to please the notified bishop."[98] There was only an incidental mention of the interesting fact that for Bishop Adolf to dispense with the residence requirement and secure an allowance for

96 See p. 320–323.

97 See Bishop Adolph of Merseburg's letter to Duke George, Merseburg, April 22, 1521, loc. 8952/4, fol. 2.

98 Duke George's letter to Duke Johann the Younger and Duke Friedrich the Younger, Worms, May 4, 1521, ibid., fol. 1.

the absence, he had to make a request beyond his own level of competence to Duke George as patron.[99]

It is not always possible to confirm that there is a clear-cut ecclesio-political motivation behind every ducal presentation. The circumstances, however, sometimes suggest this to be the case, as in the awarding of the Senftenberg parish to Dr. Wilhelm von Betzschitz. In 1501, Duke George awarded him a key parish position, since Senftenberg was at the center of a small Saxon enclave in Bohemian Lower Lusatia.[100] Betzschitz, however, was completely unable to serve at the important parish, because he was already stationed in Lűbben as an official of the Lower Lusatia archdeaconry.[101] It is possible, however, that this award was part of a plan by Duke George and the Meissen canon, Otto von Weissenbach, to move the archdeaconry associated with the Meissen cathedral chapter from Bohemian Lűbben to Saxon Senftenberg. In doing so, they would counter an attempt by the Bohemian king to present his own candidate with whom he might capture the archdeaconry and also "get a foot in the door" of the Meissen cathedral chapter.[102] Because Wilhelm von Betzschitz was now present in Lower Lusatia as the highest office-holding official in the Archdeaconry, his newly created pastorship in Senftenberg could provide an additional argument for switching locations. According to this

99 "We are therefore making an urgent request that your grace grant or order written permission to our chaplain, for execution of the fief's dissolution, and transfer to the aforementioned master Peter, dean at Zerbst, And by your grace, that the awarded benefice not require residency, as your kindness has currently excused in the case of Caspar Dehn." Bishop Adolph's letter to George, 1521 (like n. 97).

100 On September 29, 1500, the formal presentation for the position at Senftenberg castle was made to Hans von Minkwitz, who apparently held the parish patronage for the ecclesiastical fief (See cop. 106, fol. 65r). Duke George expressed direct support for the presentation "Once the Senftenberg parish position was awarded to him by the owner, Hans von Minkwitz, and he received it, then, my patron had no complaints." Duke George's letter to Dr. Wilhelm von Betzschitz, parish priest at Senftenberg, Dresden, February 4, 1504, cop. 109, fol. 17r.

101 Dr. utr. iur. Wilhelm von Betzschitz first took up his position on March 17, 1494 as an official to the archdeaconry of Lower Lusatia, and remained until 1501. His replacement, Hieronymus Sculteti, was then named on May 24, 1501. On November 1501, Betzschitz was named official to the bishop of Meissen and retained his office until 1507. On May 10, 1505, he took the position as priest in Oschatz. He died at that post on May 11, 1517 and was interred in the Meissen cathedral. See Lehmann, *Lausitz*, 181–183; ABKG, Vol. 1, 125, n. 1.— About the ecclesiastical court of the archdiocese in Lower Lusatia, see Lehmann, *Lausitz*, 190–196.

102 See Lehmann, *Lausitz*, 158 f., 168 f.

interpretation, Duke George might have actually used his patronage rights to support a political plan to relocate the seat of the archdeaconry.

A short time later, in early 1504, Duke George was once again preoccupied with the Senftenberg parish. In the meantime, the political circumstances had been clearly and fundamentally altered. By then, not only had the plan to move the archdeaconry failed, but Wilhelm von Betzschitz's status had also changed. He had been promoted to general official to the bishop of Meissen and now resided in the bishop's castle at Stolpen.[103] In a personally formulated letter of February 4, 1504, Duke George vehemently demanded that the Senftenberg pastor fulfill his responsibility to reside in Senftenberg.[104] George certainly knew that he was demanding the impossible from the extremely busy official. Obviously, bringing up the residency requirement was simply a way to pile more pressure onto the bishop's important office holder. Since Betzschitz no longer played a role in the duke's plans, he was now among the most important supporters of Johann VI, with whom George had carried on an open conflict since 1502.[105]

To summarize the theme of awarding benefices, one should keep the following in mind: Duke George considered his lawful patronage rights to be valuable assets of government. He guarded them against encroachments and used them to great effect and, in the process, a sophisticated approach may be observed. On the one hand, in the case of "normal" candidates who were often recommended by advocates, the duke concentrated on their qualifications and readiness to take the responsibilities of the benefices seriously. On the other hand, he functionalized a portion of the patronage prebends to follow the late medieval practice of funding the court's religious personnel, or for church politics. As a result, he consciously accepted such problematic practices as prebend pluralism or occasional absences.

The example set by George in Saxony coincides more or less with a popular theory held by historians such as Jőrn Sieglerschmidt. He believes that secular rulers contributed to the late medieval church crisis through their funding politics, since they used ecclesiastical prebends for purposes other than those originally intended.[106] At the same time, one should certainly not overlook the fact that for those involved, this "abuse" often seemed to be the only method available for the financing of important political, educational, and legal

103 See n. 101.

104 See Duke George's letter to Betzschitz, 1504 (as in n. 100).

105 See ch. 8, section 1.

106 See Sieglerschmidt, 281 f.

functions within society.[107] In the case of Duke George, indications are that the prince obviously made efforts to avoid adverse effects on the religious needs of the public. For this reason, it is noticeable that no parishes that were important centers of pastoral care were granted for funding purposes. Furthermore, when there were absences, vicars were expected to ensure that the responsibilities for conducting religious services were met. Here, a comparison to the dukes of Bavaria-Munich is illuminating. They preferred to award the large parishes in their cities of residence to their diplomats. Furthermore, they also used a large number of papal provisions—considered in many areas to be instruments of abuse—in order to obtain additional prebends for their clientele.[108] Even considering Duke George's active commitment to reform, one must nonetheless contend that the bestowing of ducal patronages was not a component of princely reform.

1.4 *Awarding Prebends, Prebend Supervision and Prebend Reform beyond Patronage*

In the following, when discussing princely involvement in patronage matters and the awarding of prebends outside the duke's own patronage, it should be briefly noted that the prince sometimes gained access to vacant benefices outside his patronage by making proposals for filling them. From time to time, Duke George apparently allowed himself the freedom to suggest candidates for prebends to subordinate holders of patronage rights. Primarily, this included councilors from cities under his rule and local administrative officials. Due to his position of authority, the prince's proposal was actually a recommendation that expected a certain degree of obedience. This is how ecclesiastical governance was made to follow territorial governance. For example, in 1509, Duke George made a repeated recommendation to the municipal council in Grossenhain that a parish chaplain from Dresden be given a prebend.[109] In 1500, he wrote to Hans Friedrich, the ducal tithe

107 Hartmut Boockmann uses the example of the Leipzig cleric and jurist Johannes Seeburg. See Boockmann, "Lebenswelt."

108 On the one hand, the dukes of Bavaria-Munich used their outstanding contacts at the curia to obtain many papal provisions for their clientele. In 1458 alone, they acquired 39 entitlements. On the other hand, they also used their princely authority to seize the prebends of others. Thus, using a common law justification, they claimed a ducal right of first request, and forced their recommendations upon rural patrons. During the Reformation, they also sought the right to fill benefice vacancies during papal months. See Rankl, 239–250.

109 See Duke George's letter to the Grossenhain council, Dresden, August 26, 1509, cop. 110, fol. 204r.

collector in Geyer, concerning the "fief of St Barbara in the Geyer parish church that he is awarding" in order to recommend the cleric Balthasar Ragkwitz for the position. Duke George's motivation can be found in the cartulary entry, where it says that the mining officer should follow the recommendation, "because of my lord's announced wishes and because it is God's will."[110] Along with urging obedience, Duke George also mentioned a request in the will of the previous holder of the prebend. This meant that George's proposal stemmed less from his interest in funding clerics, and more from his efforts to distinguish himself from the bishop of Meissen by guaranteeing the testaments of secular clergymen.[111]

Finally, there was one particular case in which the ducal court council applied the right of first request of Roman kings. It was to fill a position under Altzelle patronage at the parish located in Rosswein.[112] In Saxony, however, the duke's granting of fiefs outside his patronage reached nowhere near the level of systematic politics as it did in Bavaria or Jűlich-Berg.[113]

When characterizing Duke George's princely church governance, some case studies are much more interesting than his advocacy for specific candidates. They involve the duke acting as a regulative and reformative supervisory authority between local patrons and church officials. In this role, we see Duke George intervening in disputes between the two. Usually, he used his position as territorial ruler to take the side of the patron. This was evident in 1503, for example, when the official of the Bautzen provostship refused to grant collation

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110 Duke George's letter to Hans Friedrich [Dresden] December 22, 1500, cop. 106, fol. 170v. For the identification of Friedrich as ducal tithe collector in Geyer see. ibid., fol. 169v.

111 For the process of succession to the property (benefices) of deceased clerics see p. 333 f. About the dispute between George and Johan VI over David Eberlein's will see ibid. and see Duke George's letter to Bishop Johann VI of Meissen, Schneeberg, November 20,1500, cop. 106, fol. 136. The tithe collector Hans Friedrich wished to comply with Duke George's request, since he was the executor of Eberlein's will (See ibid.).

112 See the letter from Duke George's governor to the abbot of Altzelle, [Dresden] August 28, 1495, cop. 105, fol. 210r.—In 1486 Elector Ernst of Saxony had obtained the right of "first requests" from King Maximilian to fill four vacant canonicates in the chapters of Meissen, Merseburg, Zeitz and Bautzen. See Zieschang, 143.—For the *Primariae preces* of Roman kings and how they were perceived by King Maximilian, see Santifaller. For the execution of first requests by the archbishop of Mainz, who actually referred to canon law, see Bünz, *Der niedere Klerus*, 319–326.

113 About Bavaria, see the above, n. 108. In the duchy of Jülich-Berg, the rulers exerted influence upon the filling of vacancies primarily through recommendations for prebends under the patronage of the convents and monasteries of the nobility. Furthermore, since the fifteenth century, the dukes had striven to obtain the general rights of ownership during months assigned to the pope and bishops. See Redlich, *Kirchenpolitik*, Vol. 1, 98*f.

rights for the parish in Sorau to the Collegiate Church of Our Lady in Freiberg, which was acting as patron. It was the first time that the diocese had tried to obtain the parish, which had been incorporated in 1493 by the Wettins.[114] The Freiberg diocese then turned to the duke for help. He wrote to Bishop Johann VI on April 21, 1503 to request him, as "supreme prelate," to "take action regarding the dereliction of this lower-level archdeacon," so that "the public no longer has to endure the absence of a pastor, and that religious services can be held without further delay."[115] It is significant here that Duke George did not acquiesce to religious authority, especially considering his heavy conflict with Johann VI at exactly this time. With a thinly veiled threat, George wrote directly to the official in Bautzen on the same day in order to pressure him to allow the appointment of the candidate.[116]

The parties involved also sought justice from the duke in cases where the right to fill vacancies was in dispute. This is how the above-mentioned arbitration came about between the Sangerhausen council and the abbess of the local Cistercian nuns regarding nomination rights to the St James parish. Another instructive case is the 1521 conflict over the schoolmaster benefice in Dőbeln. On one side of the battle for the right to award the position was the municipal council, which apparently saw itself as the body responsible for the school. On the other side was the provost of the Benedictine convent in Dőbeln, in whose church the schoolmaster had liturgical duties to fulfill.[117] In their efforts to successfully assert their claims, both sides turned to the duke. Subsequently, however, the municipal council entered a complaint with the court council in Dresden, while the provost appealed directly to Duke George through mediation by Bishop Johann VII. Due to the plague raging in the Elbe Valley, the duke was residing in the Schellenberg Castle in the foothills of the Ore Mountains.

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114 About the incorporation of the Sorau parish, see n. 9.—The vacancy was caused by the death of the current pastor, Master Nikolaus Gebeltzyk. See Duke George's letter to Bishop Johann VI of Meissen, [Dresden] April 21, 1503, cop. 108, fol. 252v.

115 Ibid.

116 See Duke George's letter to the official at the provostship in Bautzen. [Dresden] April 21, 1503, ibid., fol. 253r.

117 As a result, the municipal council took the position that it could name a new schoolmaster and simply present him to the provost. The provost referenced an earlier arbitration allowing him to claim joint rights in the naming of a candidate. At the same time, there was a personal component to the dispute. The municipal council had decided on a replacement when the schoolmaster was late in returning from his vacation. There was a suspicion in the city that he had failed to return due to the plague. However, the provost took the old schoolmaster's side when he returned late to Dőbeln in October. See the council's letter to Bishop Johann VII in Dresden, November 23, 1521, ABKG, Vol. 1, 211–213.

In the end, the Dresden council and Duke George each took the side of "their" petitioners, and simultaneously sent contradictory authoritative orders to Dőbeln.[118] The Dresden council's argumentation is of special interest from a historical perspective. It stressed a desire that absolutely no final judgment be reached during the plague crisis; instead, the conflict was to be postponed as an act of unity during the emergency. It wasn't until Duke George sent a letter to the Dresden council that he gained the upper hand. The prince then used the occasion to categorically dispense with the problem of the temporary "double" government.[119]

Concerning the issue of church governance, the Dőbeln case is noteworthy for the following reason. Not only did the contentious local parties acknowledge the Albertine prince's authority to decide on the patronage rights in question, but the Bishop in Meissen did as well. In doing so, the bishop essentially ceded his own supervisory authority to the duke's new demands. It was actually Johann VII himself who had passed along the provost's complaint to Duke George.[120] This provided the duke with a firm point of reference for declaring himself the "supreme collator"—the leading feudal lord over all ecclesiastical prebends in the territory. This is exactly the position he claimed for himself in writings to the pope in 1523.

There was a third area where the duke was active in matters involving benefices outside of his own patronage—the reform of benefice structures. As a consequence, the prince presented himself alongside the bishop (or the clerical collator) as a regulating authority for the system of ecclesiastical prebends in the territory. This led to the interactions between the duke and the bishop which varied greatly from case to case.

The initial pattern was for the Duke to advocate to the clerical collator in favor of a change to the structure of a prebend. For instance, this might involve incorporation or the transfer of patronage rights. An example of this would be the incorporation of the Langhennersdorf parish into the Altzelle monastery. In 1508, Duke George filed an intercession to this effect with Meissen's

118 See Duke George's letter to the Dőbeln council, Schellenberg, November 10, 1521, ibid., 202; The council's letter in Dresden to the bailiff of Döbeln, Dresden, November 10, 1521, ibid., 202 f.

119 See Duke George's letter to the Dresden council, Schellenberg, November 24, 1521, ibid., 213 f. Duke George ordered the Dresden council to include a clause in their future orders, that they were to be followed only when there was no contradictory order from Duke George himself. In effect, the authority of the Dresden court council was upheld during the prince's absence. See, p. 97 f.

120 See Duke George's letter to the Döbeln council, Schellenberg, November 10, 1521, ibid., 202.

cathedral provost, in whose archdiocese the parish was located. The purpose was to transform the existing patronage into a corporation using an argument that combined the motive of clerical reform with a demand for public piety. The current pastor allegedly led an unacceptable lifestyle and was responsible for the decline of the local pilgrimage at "Sant Wandelburg."[121] Certainly, the income earned from sufferers attending the pilgrimage was taken into account, but at the same time, one could assume that there was an intrinsic motive in the monastery's desire to incorporate the parish. Another early example is Bishop Johann VI's intended incorporation of the Corporis Christi altar in the local parish of St James church in Freiberg. This was endorsed by Duke George and was intended to improve the poor furnishings of the prebend.[122] In 1500, Duke George advocated for a change in patronage in the case of the Kaland fraternity in Geithain. It was to be transferred into the hands of the Geithain council.[123]

Duke George's altering of prebends came not just from his advocacy to clerical collators, but also from his own rights as a territorial ruler. This was the case in Annaberg in 1523 when the duke wished to assert himself with the patrons of the Annaberg altar fief. It was reported, however, that they intended to grant their prebend to a cleric who was already a member of the clergy at Annaberg.[124] While it is not clear from the source as to the motivation for this course of action, it is likely that the hoped for "improvement" was due to the social situation among the "clerical proletariat" in Annaberg. This was a good example of how the duke was able to act without the involvement of any ecclesiastical authority. In 1523 a completely secular commission, composed of the Annaberg bailiff Albrecht von Schreibersdorf and members of the council, ordered all patrons to yield to Duke George's wishes. In fact, most of the patrons did bend to the prince's order, which amounted to a limitation of their patronage rights. Only the mine manager and the oldest member of the miner's guild dared to resist giving up their two fiefs. Their founding documents allowed them to present friends and relatives, but the commission rejected the

121 See Duke George's letter to Sigmund Pflug, cathedral provost in Meissen, Leipzig, October 26, 1508, cop. 110, fol. 17v.

122 See Bishop Johann VI of Meissen's charter of incorporation, Stolpen, March 10, 1491, CDS, II, Vol. 12, 440 f.

123 See Duke George's letter to Bishop Thilo of Merseburg, Rochlitz, December 13, 1500, cop. 106, fol. 161r.

124 The letter from Albrecht von Schreibersdorf, the bailiff of Annaberg, and the mayor and municipal council of Annaberg to Duke George, Annaberg, April 15, 1523, ABKG. Vol. 1, 494–497.

clientele principle in quite a remarkable way: They claimed that if the intended candidates "[are] devout, honest and lead a pious life" they would be able to find positions elsewhere.[125]

The bishop requested that the duke intervene when he found himself unable to enforce the applicable supervisory regulations. This was indicated in correspondence between Johann VII and Duke George regarding the 1524 reform of the ecclesiastical benefice in Radeberg. The reform was associated with a political financial measure of George's, the imposition of a 5 percent interest rate. This affected the income of many ecclesiastical fiefs that were annual pension endowments based on re-saleable interest.[126] Due to complaints by Radeberg subjects about excessive interest rates, a commission was organized in July of 1524 by Duke George and Bishop Johann VII to investigate the income from local prebends. This resulted in the discovery of irregularities in the priests' financial management as well as interest rates of up to 10 percent for the six altar prebends.[127] Because interest rate reduction was Duke George's stated goal, the problem became how the Radeberg clergy could be supported in the future with only half the prebend income. To this end, the bishop's chancellor, Georg von Rotschitz, made a proposal in the commission's report. For the benefit of those remaining, the prebends with holders not residing in Radeberg were to be eliminated.[128] Johann VII accepted the proposal; however, because canon law stipulated that the bishop was the only authority responsible for the separation or incorporation of prebends,[129] he wrote to Duke George that he found himself restricted from merging the prebends as long as those intended for elimination were still occupied.[130]

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125 Ibid.

126 For the imposition of interest rates on clerics, see p. 329–331.

127 See commission report [July 7, 1524], loc. 7440/7, fol. 2–9.

128 Ibid. fol. 9r.—The following were to be eliminated: the two fiefs under the duke's patronage, the fief in Radeberg Castle, the fief in the cemetery chapel of the Holy Cross, two that had been awarded to Johann Főrster (residing in Dresden), and the altar of the Kaland fraternity—a fief under municipal patronage held by the pastor in Kleinrőhrsdorf. About the prebends, see ibid., fol. 2–9, the non-resident prebend holders were named in a letter from Georg von Rotschitz to Dr. Simon Pistoris, Stolpen, July 10, 1524, ibid., fol. 35.

129 See Plöchl, Vol. 2, 166.

130 "Therefore, a union or merging of fiefs may not justifiably take place, unless released through the voluntary resignation or death of the occupier. Thus, we are concerned that even though the dissolution is requested by us or by our servants, that it will be in vain and that they will not abide by our orders, and that we are unable to make them follow our wishes." Letter from Bishop Johann VII of Meissen to Duke George, Stolpen, July 12, 1524, loc. 7440/7, fol. 37.

That which was disallowed him as bishop, he confidently assumed the duke could implement: "therefore, because you are the most high-ranking patron and the council is also patron of a large number of fiefs, we feel it appropriate and constructive in this case, that your grace search out the non-residents and transfer their fiefs into your own hands in good faith." Because Duke George was patron of two of the fiefs in question and also because of his princely influence on the Radeberg municipal council, the bishop encouraged him to pressure the prebend holders into turning them over. The duke was also expected to handle the redistribution of the released income, while the bishop saw his duty being limited to giving final confirmation of the transaction.[131]

Here, the right to decide whether to intervene with final authority in patronage issues was ceded to the duke by the bishop of Meissen. The duke's response brings into focus the baseline of princely activity regarding the institution of prebends. He hesitated to relinquish his own ecclesiastical fiefs because patronages were valuable governing rights, and also because he wished to exert control over church-related issues in his territory. Therefore, he pushed for another solution. All occupiers of prebends in Radeberg were to "resign their benefices" in order to have them reinstated at an interest rate of 5 percent. To compensate them for their losses, Duke George drew from the parish assets, where a fund of 200 florins had been discovered during a visitation lacking official confirmation.[132]

Finally, another aspect in the spectrum of princely intervention into the benefice system was the way in which Duke George altered the prebend landscape of his territory through targeted endowments. Certainly, the establishment of a parish prebend in the newly founded city of Annaberg in 1500 would belong, in the broadest sense, to the duties of the territorial ruler. Thus, Duke George's overriding support for establishing new prebends for preaching was an indication of his interest in reform. This continued into the period of the Reformation itself.[133] The burgher's of St Annaberg, for example, were soon able to hear God's word from two academically trained preachers.[134] In 1519,

131 Ibid.

132 See Duke George's letter to Bishop Johann VII of Meissen, Dresden, July 13, 1524, ibid., fol. 39.

133 About the establishment of prebends for preachers as a reform measure, see Neidiger, "Wortgottesdienst"; Menzel, 368–384. See also ch. 22, section 2.

134 The preacher in the Franciscan monastery (See ABKG, Vol. 1, 520, n. 2) and the preacher in the parish church of St Anne, for which Duke George felt directly responsible, although the presentations rights were held by the Annaberg council. See Duke George's letters to the council and the pastor in St Annaberg, Dresden, June 26, 1523, ABKG, Vol. 1, 520 f.

Duke George actively supported the pastor's plan in Senftenberg for the endowment of a new preacher, by which he promised to incorporate two ducal altar prebends into a newly established benefice.[135] Further, in 1523, George supported the Sagan town council's demand for the establishment of a preacher. Through the bailiff, he suggested to the abbot of the Augustine Men's Choir monastery that the appointment of a trained preacher was not just the fulfillment of his own wishes; it also made it possible to win the support of the common man by reinforcing the communication of God's word.[136]

2 Ecclesiastical Norm *versus* Princely Power: George's Plans for Church Governance over the Lower Clergy

Because maintaining discipline among the clergy had always been the Bishop's personal responsibility, canon law had not made allowances for princely church governance over the lower clergy. The ordinary possessed full disciplinary power in all matters, although he was also able to delegate a portion of control within the framework of the ecclesiastical hierarchy; for instance, to the archdeacon. The bishop's *potestas ordinis, magisterii et iurisdictionis* over the clergy specifically included the right of consecration, making appointments to ecclesiastical offices, the dismissal of such appointees, the power to punish or discipline, and the right to legislate and levy taxes.[137]

The *Privilegium fori*, the most important immunity privilege of the clerical state, ensured that the clergy was responsible only to ecclesiastical courts for all punishable cases. Here as well, the bishop or his appointed official was the highest authority in the diocese. Ultimately, the "*Nimis*" decree of the Fourth Lateran Council (1215) forbade the fidelity oath for clerics. This removed the possibility for the secular side to demand loyalty of prebend holders to their patrons and to subjugate them to their authority.[138]

However, during the late Middle Ages, the demands of canon law and secular legal practices were never fully compatible, even during the heyday of ecclesiastical jurisdiction. The legal provisions of canon law were never generally

135 See Duke George's document, Dresden, January 27, 1519, ABKG, Vol. 1, 65 f.

136 See Duke George's letter to Seifried von Nechern, bailiff of Sagan, Dresden, February 15, 1523, ABKG, Vol. 1, 466 f.

137 See Hinschius, Vol. 2, 38–42; Neumaier, 19.

138 See Plöchl, Vol. 2, 190–194; Hinschius, Vol. 6, 180–196.—For the continual practice of the priestly oath, see above, n. 24.

recognized as binding by the secular powers.[139] The demarcations between the religious and secular spheres of jurisprudence remained constantly in dispute and were continually influenced by local and temporal shifts in the balance of power. Thus, there were only a few constants, such as the general recognition of the *privilegium fori*.[140] Additionally, the theory of the two kingdoms (*Zwei-Reiche-Lehre*) justified action by the secular side in the case of failure by the ecclesiastical side.

The Wettins had already made official demands upon the lower clergy in the fifteenth century during the expansion of their princely church governance. The best-known example of this was Duke Wilhelm III's Thuringian law code of 1446.[141] Duke George's objectives, however, went far beyond anything that had been seen up to that point. The experiences gathered in his attempts to intervene in the affairs of the lower clergy induced the reform-minded Albertine to strive for completely new rights for secular rulers. As a result, he turned to the only institution that could bestow such rights, and where, since the fifteenth century, princely requests could be accommodated: the papacy. Two diplomatic forays at the curia show how Duke George envisaged ideal princely governance over the lower clergy.

The older text is from the pre-Reformation period. It is a catalog of requests that Duke George presented to the cardinal-legate Raimund Peraudi during his visit to Meissen. Named the "Peraudi Program" for short, the draft cited below was meant to help the duke advance his territorial church reform through papal privileges. Subsequently, he was also to become its central change agent without having to take the bishop into consideration. The following points deal with the desired princely rights over the lower clergy:

> [2] Item: […] a clerical judge who shall punish priests, when they have committed offenses, according to the will of my gracious lord.
> [3] Item: if a clerical judge is not suitable to my gracious lord, he may appoint another. […]
> [13] Item: a privilege, in which a priest or cleric commits an offense, so that he is arrested, that my gracious lord may hold this person in his prison if the bishop is previously informed. And in case he should be degraded, at the most a bishop and two abbots should be present and have authority.

139 One famous exception to this rule was the law *Carolina de ecclesiastica libertate* by Emperor Charles IV. See Johanek, "Karolina."

140 See Plöchl, Vol. 2, 346–349; Hinschius, Vol. 6, 194 f.

141 See ch. 4.

[14] Item: whichever bishop or priest acts against this privilege would be prohibited under threat of excommunication and loss of benefices and offices.

[15] Item: whichever priest or cleric wishes to create a disturbance against my gracious lord or his officers regarding such a privilege, must then answer to my lord's judge for punishment.[142]

In paragraphs two and three, Duke George was demanding nothing less than indirect disciplinary power over the lower clergy. This was to be executed by a clerical judge (*conservator*) who was no longer under obligation to the bishop, but was directly responsible to the duke. George not only wished to appoint the clerical judge, but for the judge to orient himself "to the will of my gracious lord" in his decisions, which would afford the prince de facto judicial powers. As if that were not enough, in paragraph thirteen the Albertine demanded that the *privilegium fori* be restricted to serious offenses. In future such cases, the duke wished to take the reins himself as the supreme secular judge. Although the ecclesiastical proceedings still remained, the duke nonetheless wanted to ensure that he could bring considerable influence to bear through the independent arrest and secular imprisonment of accused clerics. George recommended that an accelerated degradation, by which the offender would have his clerical state privileges removed and be completely at the mercy of the secular arm of the law, would be an appropriate outcome for such trials.[143]

Obviously aware of the revolutionary nature of his demands, Duke George made an effort in paragraphs fourteen and fifteen to prevent the expected resistance from the clergy and ecclesiastical hierarchy. Indeed, every uttered criticism, every "disturbance," would be punished by George's clerical judge. Active resistance to the new regulations, which could be instigated by the bishop, would be met with excommunication and the loss of office and benefices. Additionally, there was even a plan to remove offenders from office "with the deed," meaning an automatic punishment known in canon law as *Poena latae sententiae*, which would take effect *ipso facto*.[144] Even if Duke George had in mind his ongoing conflict with Bishop Johann VI when he drafted his demands

142 Duke George's catalog of requests as presented verbally to the pope by the cardinal–legate Raimund Peraudi [early January 1503], Gess, *Klostervisitationen*, 46 f., also: ABKG, Vol. 1, XXXIII, n. 1.—Punctuation and numbering by the author.

143 Degradation, the strongest ecclesiastical punishment for a cleric, entailed not only the loss of benefices, but also the loss of all rights and qualities of the clerical state. See Plöchl, Vol. 2, 389 f.

144 About *Poena latae sententiae* see ibid., 388 f.

for such strict penalties, the whole direction of the program's impact was undoubtedly likely to cause resistance from any bishop.

Duke George's actions present an example of maximum secular authority being asserted over the lower clergy, stretching the framework of the medieval church to its very limits. There are two ways in which he bypassed the bishops' authority, and with it the core competence of the bishop's office. First, he built a competitive (although formally, still clerical) jurisdiction covering punishable clerics. Secondly, he ignored the limits of the diocese and thus the bishop's territorial area of responsibility—made even clearer in the 1523 program. With the effective seizure of "episcopal functions,"[145] the bishops had been weakened, and the autonomy of the clergy was put into question by secular power. The justification of this aggression was a thorough reform of the lower clergy—the new jurisdiction was just meant to eliminate abuses—; however, the implementation of these demands would have given secular powers a firm hold over the clergy.

Taking over the bishops' rights was also the quintessence of the 1523 catalog of requests. There can hardly be a clearer symbol of the dependence of the bishops of Central Germany on the Wettins than Duke George trusting the procuration of his requests to Bishop Johann VII of Meissen. Having traveled to Rome for the canonization of Benno of Meissen, the bishop passed along the Duke's catalog of requests in January 1523:

> Because also the priests, and especially those who have parishes or who do pastoral work, now introduce unorthodox practices into their sermons and other duties to some degree, and otherwise lead an unpriestly life, this results in much evil. So, in order to prevent all of this, we kindly ask that Your Grace make an effort with His Papal Holiness so that His Holiness grants us, our heirs and descendants the privileges and freedom in written form and in an enduring and appropriate manner. When a pastor or other secular priest or canon in our principality, lands or territories is given a benefice—who is religious or secular, of high or low status, and has a parish, canonicate or other fief to grant—who is stained by an improper or otherwise wicked life, and who resists authority; we, as ruling prince and supreme collator wish to dismiss this pastor, canon or priest. This should be with the full knowledge of other collators and without corrupting their authority so that the benefices may be conferred and granted to others who are suitable. I'm confident that quite a few of those

145 This term is developed by Helmut Rankl as an example of church governance in Bavaria. See Rankl, 266.

> who currently misbehave would be more circumspect in the future and set a better example among the common folk through better Christian practices.[146]

What George was requesting from the pope was nothing less than the right to dismiss all members of the secular clergy in his territory. Without any form of ecclesiastical trial, the prince wished to act against those whose lifestyles caused scandal or might reflect Luther's teachings. In addition to reform, he was engaging in a battle against the Reformation. As a result, the *privilegium fori* was effectively annulled, and the secular prince assumed a level equal to the bishop in his supervisory powers. According to the duke's plan, a "reform diocese" was to be instituted stretching across his entire territory. He explicitly ignored the hierarchy of the diocese and, with it, the bishop's authority. In the end, Duke George, as secular ruler and self-proclaimed "supreme collator"—this key term will be discussed further[147]—wanted to not only dismiss priests, but also to re-award their prebends in cooperation with their patrons in order to ensure the sustainability of the reform.

While the Peraudi program tested the limits of canon law, the requests of 1523 broke through the framework of standards once and for all. They ignored the basic principle of the separation between religious and secular judicial spheres. The secular prince's church governance stood in place of an autonomous church and clergy. Stripped of clerical state privileges and severed from the bishop's authority, the lower clergy were seen as the duke's subjects.

For Duke George, a territorial ruler known for his loyalty to Rome, making such requests for special privileges to the curia was for the purpose of reforming the lower clergy, but it was also an instrument in the struggle against the Reformation.[148] George attempted to dampen the spirits of the evangelical movement by combining secular and ecclesiastical rights of supervision and taking them into his own hands. The new teachings needed to be nipped in the bud by reinforced territorial church governance. The argument that Duke George hoped would win over the pope for his reform plan was not about the failure of the bishop, but rather the possibility of stopping the heretical movement with such measures. Surely, what might have been seen by ecclesiastical eyes as desperate emergency measures was for Duke George a plea for enduring privileges for "us, our heirs and descendants."

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146 Duke George's letter to Bishop Johann VII of Meissen in Rome, Dresden, January 4, 1523, ABKG, Vol. 1, 421–425.—Emphasis and paragraph structure by the author.

147 See below, section 6.

148 See ch. 19.

However, Duke George's attempts to build stronger church governance through papal privileges were altogether unsuccessful. The curia did not even hand down a response.[149] The reluctance of the pope to agree to the Albertine's wishes had already been demonstrated by his rejection of lesser requests, such as the supplication of 1504/05 asking for influence over ecclesiastical jurisdiction in the mining town of Annaberg. While the kingdoms of western Europe were able to effectively limit the autonomy of the church in their realms, Duke George was in a much weaker position. One reason for this was his limited influence and what the pope perceived to be the low-level and diminishing political significance of an imperial prince.

Another reason was that George's requests were far ahead of their time—at least by the standards of the empire. Nothing demonstrates this better than the example of Bavaria, the only territory that actually obtained similar privileges. This was because, at the invitation of Pope Hadrian, the Bavarian dukes attempted a request with content similar to that which Duke George requested in 1503. It was also approved with a reference to the close relationship of Bavaria to the curia and the emergency situation caused by the Reformation. With this in mind, it was almost illusory to hope that these quite revolutionary and explosive requests regarding canon law that Duke George introduced in 1523 might possibly meet with the pope's approval.[150]

The old strategy of implementing princely church governance and church reform with the help of papal privileges was clearly no longer viable for Duke George, and he had to search for other methods. As will be shown, this was not cause for him to give up on his visionary scheme. When the political practice of dealing with the lower clergy is examined below, one should keep these key points in view: the goal of clergy reform; the confrontation with the bishop's right of authority and clerical state privileges; the disciplinary grip on the lower clergy within the framework of church governance; and its integration into the society of the duke's subjects.

3 Territorial Church Reform in Practice: Supervising Clerical Life and Office

Even if George's plans failed to find acceptance in Rome, they nonetheless reveal the scope of his church politics. This is all the more important since,

149 Felician Gess believes that Peraudi did not actually pass on the 1503 supplication to Rome. See ABKG, Vol. 1, LXIII.

150 See ch. 6, section 5.

in practice, Duke George did not let the absence of papal privileges hold him back. There were two lines of development: treating the lower clergy as subjects, and challenging the authority of the bishops.

Unlike many other princes, such as his Ernestine cousins Friedrich and Johann, George was not satisfied to just complain about abuses to the ecclesiastical authorities.[151] Indeed, in 1498 he undertook aggressive action together with the Ernestines to push the bishops and archdeacons in Central Germany toward a fundamental reform of the lower clergy, the laity and ecclesiastical jurisdiction. However, the negotiations were broken off during a meeting in Naumburg in July of 1500 and yielded no tangible results.[152] All the more successful, however, were Duke George's politics of tireless intervention in daily politics, which can be seen as the signature of his church governance.

3.1 *Reform Goals*

Ducal reform of the lower clergy was applied everywhere that clerics violated the standards that the laity expected of their pastoral clergy. The secular rulers' image of a good pastor is shown in a letter of recommendation from Duke George's governors in 1514. Their primary interest was the bishop of Meissen's permission for their candidate to act as a vicar for the town pastor in Chemnitz. The governors wrote that the candidate was recommended by his proper lifestyle and the diligence he showed in his religious duties. Furthermore, he was beloved by people in the town, which was why the councilors hoped that he would improve Chemnitz's church life.[153]

The Dresden councilors praised the lifestyle and the pastoral care of their candidate, because he represented standards often violated by the clergy. To uphold them was a primary goal of ducal politics. Concubinage,[154]

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151 About the church politics of the Ernestines, see below, section 7.

152 About the meeting in Naumburg, see ch. 9, section 2.

153 See the letter from Duke George's governors to Bishop Johann VI of Meissen, Dresden, May 13, 1514, cop. 119, fol. 39 f.—The background of the text was the fact that master Caspar Stebener, the intended vicar for the pastor, Dr. Wolfgang Steinberger, already held a benefice in the collegiate church in Ebersdorf near Chemnitz. This required a dispensation from the bishop in order to take on the position of conventor. A similar list of obligations—presence, physical upkeep of the parish, administration of the parish, responsibilities for holding mass, a lifestyle appropriate to the clergy—including the priestly oath, all of which the Treffurt pastor was required to accomplish in 1500. See above, n. 24.

154 About celibacy violations and related conflicts, see ABKG, Vol. 1, LVI, n. 2.

drunkenness,[155] and criticism of authority[156] were all considered to be lifestyle misconducts. The duke acted against neglected pastoral responsibilities when the requirement to hold masses was not met, or the obligation to be present was disregarded.[157] Additionally, demanding payment for celebrating the sacraments and for ecclesiastical administration was considered a punishable offense. Here we find a major goal of princely church reform—to grant all subjects the means of salvation administered by the church—in conflict with the funding of the lower clergy, for whom oblations and parish service charges were important traditional sources of income.[158] Finally, the duke acted against what were seen as economic offenses by the clergy, especially illicit traffic in beer and wine.[159]

The goals of reform as referred to above were rarely presented as a coherent program. For the reform negotiations in Naumburg, the duke's council put together a catalog of grievances in 1499. The transgressions by the lower clergy

155 An example of drunkenness among pastors was the reason for Duke George's letter to Bishop Johann VII of Meissen, Rochlitz, April 29, 1519, ibid., 82.

156 The case of a Freyburg pastor is a good example of action taken against criticism of authority. In 1500 he criticized the new municipal constitution of Freyburg with invective from the pulpit. As a result, Duke George ordered his local advisor Dietrich von Witzleben to hold a hearing of the municipal council and the pastor and to forbid the pastor from verbal abuse against "such regulations that have been fully recognized by my lordship." See Duke George's letter to the Freyburg council and to Dietrich von Witzleben, [Dresden] October 26, 1500, cop. 106, fol. 90r.—In 1503, Duke George complained to the abbot in Pegau about the Pegau pastor in the duke's service using "unseemly language" to criticize the municipal council. See Duke George's letter to the abbot in Pegau, o.O., March 24, 1503, cop. 108, fol. 224r.—The pastor in Somsdorf directly criticized Duke George because of the reduction in ecclesiastical interest during ducal arbitration. Informed of this by the local village community, the prince then demanded an investigation of the incident by Bishop Johann VII. See Duke George's letter to Bishop Johann VII of Meissen, Dresden, November 22, 1524, ABKG, Vol. 1, 768 f.

157 See this in the case studies below in this section.

158 The accusations were very thoroughly addressed in the negotiations of 1499: "in many places, poor people are also pressured to pay for the sacrament," (*Gebrechen, so inn geistlicher ordnung stehn* [prior to June 17, 1499], under a misleading title edited in: Burkhardt, *Landtagsakten*, 46–49). At its core, it only actually targets new developments in this area. For example, it shows the complaint that was taken up by the duke that came from the communities of Landsberg and Gollma about their pastor's charges for the sacrament. They were considered "unusual." The letter from Dukes Johann the Younger and Friedrich the Younger to Johann von Kanitz, the provost of Petersburg, Dresden, May 13, 1521, ABKG, Vol. 1, 165–167.—About the great importance of such revenue to the parish income, see Petke, "Oblationen;" Petersen.

159 For examples, see ABKG, Vol. 1, LVII, n. 2; 164 f., 178–180; for this see below, section 4.

included concubinage, frequenting inns (in connection with excessive drinking, squabbles and altercations), the serving of wine and beer, and demanding payment for the administration of the sacrament.[160] The complaints culminated with the demand that "the clergy should not set a bad example for the layman."[161] A quarter century later, the Gravamina from 1499 were still used as a direct template for Duke George's contribution to the grievances at the Diet of Worms in 1521 (whereby, indeed, the lower clergy remained disregarded).[162] This alone shows that putting items together in lists enhances the creation of certain topoi.

The violations of standards cited were generally known, and their causes were often of a structural nature. As stereotypes, they could even serve to obscure lines of conflict. This appears to have been the case in the aforementioned attempt by the Altzelle monastery to incorporate the parish of Langhennersdorf—a move supported by Duke George. In an effort to justify the incorporation of the parish, the monastery concentrated exclusively on the topic of the pastor's unacceptable lifestyle, but without being able to make any concrete accusations. The monastery even tried to connect the decline of the local pilgrimage to the unsatisfactory conduct of the pastor. Since the reform of priestly lifestyle was generally considered to be a cure-all for church reform, the monastery was able to argue in reverse that just the incorporation and installment of "a secular or clerical priest who leads a proper life" could cause the pilgrimage to flourish once again.[163]

3.2 *Reform Measures*

Under canon law, secular powers were not permitted to impose penalties on the clergy, nor was it a part of the secular legal tradition. There were no such provisions, whether in the Survey of Saxon Law (*Sachsenspiegel*) or Roman law and, in principle, Duke George had no desire to meddle in this area. However, in the Peraudi Program, the ideal solution he formulated was to have indirect influence over a "conservator" or clerical judge under his authority. In practice, George could not ignore the existence and legitimacy of ecclesiastical jurisdiction. A creative approach to solving this dilemma was the attempt to exploit ecclesiastical justice on behalf of the prince's church reform. In fact, George's

160 See *Gebrechen*, 1499 (like n. 158). About the negotiations, see ch. 9, section 2.

161 See minutes of the council meeting in Naumburg on July 14, 1500, loc. 14950 Concepts, fascicle "1502," unpaginated. See also ABKG, Vol. 1, LVI–LXII.

162 See p. 185–189.

163 Duke George's letter to Sigmund Pflug, cathedral provost in Meissen, Leipzig, October 26, 1508, cop. 110, fol. 17v.

church governance was often a hybrid of indirect influence over religious authorities and direct pressure from the duke.

The forms of ducal penalties varied according to different situations. This was why some measures, such as putting a hold on income from benefices, were only considered for specific offenses. The first step of a direct intervention by the duke took the form of an admonition, which occurred in 1495, when Duke George forbade the pastor in Senftenberg to serve beer commercially. He was informed that, if necessary, the duke would have the local bailiff enforce the prohibition.[164] The pastor had ignored a previously set deadline for arbitration between himself and the council.[165]

One rather reprehensible variant of princely sanctioning power was used by Duke George when taking action against concubines. As in many areas of the empire, the duke's power was directed at the weakest link in the social relationship of concubinage. While priests were well protected by *privilegium fori*, their mistresses were arrested on the spot, often with their children.[166]

The threat to block income from prebends was an especially effective penal instrument in the hands of the duke. It was applied when a clergyman failed to take his primary duties of pastoral care and religious services seriously. Duke George, when doing so, acted completely outside of his patronage rights. The enforcement of penalties was made possible by his position of power as a secular prince since he could fall back on civil servants at the local level and occasionally depend on support from local village communities. This is how in 1509 Duke George tied together a warning to the pastor in Annaberg to participate in a burial ceremony in Schellenberg, and to pay an obligatory "fee," or the Schellenberg bailiff would "block your income."[167]

An example from Thuringia in 1504 perfectly illustrates how Duke George worked together with the local village community to pressure the clergy into guaranteeing that religious services and the sacrament would be provided for his subjects. The point of departure was a supplication by the communities of Gűnstedt and Herrnschwende. The subjects made a plea to the duke because the commander of the Order of the Teutonic Knights in Griefstedt had

164 See Duke George's letter to the Senftenberg pastor, March 7, 1495, ABKG, Vol. 1, LVII, n. 2.

165 See Duke George's letter to the Senftenberg pastor, February 1, 1495, cop. 105, fol. 83r.

166 See Duke George's letter to the bailiff of Schellenberg, Dresden, June 27, 1517, ABKG, Vol. 1, 15 f.; Duke Johann the Younger's letter to Duke Johann the Elder, Dresden, August 9 and 30, 1518, ibid., 43 f.—This procedure was common among secular rulers. See the literature in n. 306.

167 Duke George's letter to the pastor in Annaberg, Schellenberg, September 22, 1509, cop. 110, fol. 235r.

neglected his pastoral duties in their chapel. Lord Marshal Heinrich von Schleinitz had already secured assurances from the knights; however, because the situation had not improved, Duke George found it necessary to instruct the bailiff of Sachsenburg to approach the commander and threaten him if necessary "to withhold so much of the commander's income as will be needed to re-establish the church services that were neglected."[168] In a similar case, Duke George threatened the provost in Utenbach for neglecting his obligation to celebrate mass in the villages of Kősnitz and Zimmern. Should the provost not take the subjects' complaint seriously, the duke would instruct the bailiff "to order the people to refuse the aforementioned provost his yearly fee."[169]

Imprisonment and dismissal were the heaviest penalties that Duke George employed in order to discipline the lower clergy, separate and independent procedures. While imprisonment was the last resort in less serious violations, he used it regularly for grievous offenses. One example is the case of the pastor in Collm, who was reported by the bailiff of Oschatz in 1521 for a physical assault. Dresden's governors ordered the bailiff "that you should diligently seek out the priest so that he may be taken prisoner, chained to a wagon, and remanded to the custody of the bishop of Meissen."[170] The independent arrest of clerics by the prince, which could be seen as a direct violation of *privilegium fori*, was regarded in Saxony at the time as standard practice, and by the bishops as well. On the other hand, the ducal government acknowledged in a cover letter to the bishop that "the priest was not subject to the authority of Duke George's court."

Turning a delinquent over to the authority of an ecclesiastical judge did not mean that the secular side completely dismissed the suit. Instead, the bishop was obliged to hold the pastor in prison until Duke George personally commented on the case.[171] Duke George usually had the arrested cleric transferred to ecclesiastical detention out of formal respect for clerical privileges. Just as frequently, however, he followed the development of the ecclesiastical proceedings and often brought indirect influence to bear.[172] For this kind of

168 Duke George's letter to the bailiff of Sachsenburg, Dresden, February 8, 1504, cop. 109, fol. 22r.

169 Duke George's letter to the provost of Utenbach, Leipzig, December 1, 1500, cop. 106, fol. 148v.

170 The Dresden councilor's letter to the bailiff of Oschatz, Dresden, November 4, 1521, ABKG, Vol. 1, 201 f.

171 The Dresden council's letter to Bishop Johann VII of Meissen, Dresden, November 4, 1521, ibid., 202.

172 See the case of the Annaberg pastor Dr. Johannes Pfennig, p. 467 f.

cooperation, a good relationship between the duke and the bishop was clearly a prerequisite. If George had doubts about this, as was the case during his conflict with Bishop Johann VII from 1502–1511, he would hold serious criminal offenders, such as the suspected murderer Georg von der Kere, in a secular prison and ignore the bishop's interdiction.[173]

The ultimate punishment for a secular clergyman, however, was dismissal and loss of his prebend. Under the system of canon law, this form of deposition could only be carried out by an ecclesiastical judge.[174] It was nonetheless possible for a secular ruler to relieve a priest of his prebend by an indirect route. He only had to convince him to "voluntarily" resign the benefice. Through the resignation, the prebend would revert to its patron, who could fill the vacancy. The legal correlation between a resignation and the patronage system might be considered the reason why cases of resignations forced by Duke George can only be found in prebends under ducal patronage. This changed during the Reformation when Duke George resorted to the imprisonment and dismissal of Lutheran priests and vicars in his fight against the evangelical movement.[175]

Thus far, there are two well-known cases during the pre-Reformation period of forced resignation by delinquent priests: the dismissal of Pastor Christoph Backofen of Oederan, and the resignation of Lucas Mathei, a vicar from Seelitz. In both cases, the responsible bishop was involved. Nonetheless, the dismissals were not the results of formal depositions, but came about through resignations negotiated by the duke.

Initially, an arrest warrant was issued on March 24, 1501 against Christoph Backofen at the request of the bishop and the cathedral chapter of Meissen. They had accused him of trying to evade ecclesiastical judicial proceedings because of his impious lifestyle.[176] After a further arrest at the Duke's request in 1502,[177] a third grievance was lodged against him in April 1503 "that he once again made distinct complaints against the priesthood and community, using shameful and insulting language." Duke George now demanded that the bishop dismiss and expel the incorrigible priest.[178] Apparently, however, this did

173 See p. 209.

174 See Plöchl. Vol. 2, 390f.

175 See ch. 19.

176 See the Dresden councilor's letter to Sigmund von Maltitz, bailiff of Schellenberg, n.p., March 24, 1501, ABKG, Vol. 1, 17, n. 1.

177 See Duke George's letter to the bailiff of Schellenberg, n.p., August 22, 1502, ibid.

178 Duke George demanded that the bishop "should remove the pastor in Oederan as promised, and without further delay from his grace's fief." Duke George's letter to Bishop Johann VI of Meissen, April 4, 1503, ibid.

not take place, and in the end, Duke George decided to solve the problem using resignation. In order to get Backofen to leave, he was allowed to exchange prebends. On May 23, 1503, the duke presented Johann Backofen—apparently a cousin of the offender—for the parish of Oederan.[179] He turned to Hans von Weissenbach, the patron of the altar prebend in "Sueln" that had previously been held by Johann Backofen, to submit an order that Christoph Backofen become the new vicar.[180] This was how Duke George enforced his visions of reform. The candidate who was deficient as priest and pastor was removed and banned to a distant altar prebend, and with his replacement, there were no longer negative perceptions.[181] It is remarkable that the duke never let a lack of authority hold him back from his goals for church reform. Instead, he found creative ways to make use of the late medieval system of prebends.

3.3 *Collaborating with the Ecclesiastical Court System*

Duke George opted to take indirect steps more often than choosing direct engagement. He did this by assigning offenses by secular clergymen to the appropriate ecclesiastical judge. Such an assignment always came with a clear demand for the elimination of the abuse and punishment of the guilty party. For the scope of our study, there are only a few surviving sources that cover lawsuits against clerics by ecclesiastical courts. Those that do exist, such as the records of Erfurt's keeper of the seals from 1498, highlight the effect of ecclesiastical disciplinary jurisdiction that was also supported by diocese synods, country chapters and archdeacon send courts.[182]

Bishop Johann VII of Meissen received charges from Duke George in April 1519 concerning the pastor of Krumhermsdorf. Even during Holy Week, he had indulged in alcohol abuse. George's complaint speaks not only to the keeping of standards, but also to the outrage of staunch lay Christians caused by the consequences of the clergy's failings. This was because, from George's viewpoint, it was the community, and therefore a portion of his subjects, that suffered from the excessive alcohol consumption by the pastor. Because he was

179 See Duke George's letter of presentation for the parish of Oederan to the official of the provost of Meissen, May 23, 1503, cop. 108, fol. 274v, partially edited: ABKG, Vol. 1, 847.

180 See Duke George's letter to Hans von Weißenbach, May 31, 1503, cop. 108, fol. 286r.

181 Johann Backofen did not resign the parish of Oederan until August 1511. See ABKG, Vol. 1, 17, n. 1.—The conclusion by Felician Gess (ibid., n. 1), that Christoph Backofen would not have been dismissed is due to confusing him with Johann Backofen. Gess corrected the error himself. See ABKG, Vol. 1, 847.

182 See Johanek, "Bischof," 85–97, with examples (after Hannapel, 177–179). See also Lück, 50–69.

not fit to hear the usual confessions on Easter eve, he had to take confession from forty people on Easter Sunday, which caused the mass to be delayed until long past noon. When people finally stepped forward to receive communion, a young girl suffered a fainting spell, and to the horror of the congregation, vomited the body of Christ (the host). George's complaint ended with "as a Christian bishop, it is easy for your grace to appreciate what a great misdeed the good and almighty God had to endure."[183]

Referring cases to the ecclesiastical judiciary that involved violations by secular clergymen did not mean that Duke George relinquished responsibility. He often followed developments during trial and became involved if he felt it necessary; for instance, in the aforementioned case of the pastor of Collm in 1521. The duke's intervention could even go so far as a recommendation for punishment. Around August 1524, he demanded that the counselors to the bishop of Meissen (on a journey to Rome at the time) "physically punish, and not through fines or confiscation," two vicars accused of violating a young woman.[184] In some instances, he was able to constrain ecclesiastical jurisdiction so forcefully that literally every step of the proceedings was negotiated between the duke and the ecclesiastic judge. This is where Duke George came very close to his ideal of princely control over ecclesiastical justice as formulated in the Peraudi Program.

A clear example of this was the prosecution of Lucas Mathei. The priest from Rochlitz held a prebend of ducal patronage as a vicar in Seelitz. In 1519, the municipal council of his hometown of Rochlitz pressed charges against him for defamatory insults and presented the case to the duke. The duke in turn brought it to the attention of the bishop of Merseburg. Adolf of Merseburg let Duke George decide whether he wished to summon Mathei to appear before him or to have him immediately arrested and turned over to the bishop.[185] After the ecclesiastical trial began, George wrote to the bishop that he would "have absolutely no doubt that your grace, as a virtuous and pious prince and prelate, will indeed show that you will punish Mathei." He nonetheless influenced the trial by supporting the accusations of the Rochlitzer plaintive with witness testimony and additional charges that, as vicar, Mathei had insufficiently fulfilled his responsibilities for church services in Seelitz.[186] In the fall, when

183 Duke George's letter to Bishop Johann VII of Meissen, Rochlitz, April 29, 1519, ABKG, Vol. 1, 82.

184 Duke George's letter to the counselors of Bishop Johann VII of Dresden, August 3, 1524, ibid., 716.

185 See Cäsar Pflug's letter to Duke George, February 14, 1519, ibid., 69.

186 Duke George's letter to Bischof Adolf of Merseburg, Rochlitz, April 30, 1519, ibid., 82 f.

Bishop Adolf finally pushed for an end to the trial and Mathei's release from prison, Duke George specified the conditions in consultation with the plaintiffs from Rochlitz. Mathei, who came from the long-established Mathesius family in Rochlitz,[187] had to swear an oath of truce, was not allowed to set foot in Rochlitz again and, most importantly, "after he acted against us and his patron, […] he subsequently forfeited his fief." The key role that Duke George was allowed to play in the religious trial was ultimately indicated by the fact that after drawing up a leniency plea for the prisoner, the Nűrnberg provost, Melchior Pfintzigk, submitted it directly to the duke.[188]

The examples above show that Duke George knew how to integrate religious power with church governance in his efforts to reform the lower clergy. Cooperation with the regional bishops gave him the opportunity to work around the limitations of his sanctioning powers under canon law and, at the same time, he pre-empted possible protests against his intervention by building consensus. Here again, Duke George's church politics leaned more toward engagement rather than competition with the local religious powers. Nonetheless, the degree of collaboration was very dependent on the personalities involved. The strained relationship with Meissen's Bishop Johann VI is a negative example of particular note. In 1516, Duke George expected no support from him and considered himself justified in taking direct action as ruling prince against the concubinage of the pastors of Euba and Flőha in the foreland of the Ore Mountains. He told his bailiff of his intentions: "however, even though the bishop does not wish to look into this, then we are in any case forced to see to it that such fornication is neither to be observed nor allowed in our principality." The duke's demand that the priests refrain from their immoral lifestyle was given impetus by his order for the bailiff to arrest the concubines.[189]

Nonetheless, George was completely amenable to cooperating closely with the religious powers, and to even allow them more leeway if he had confidence in their representatives. This was true for the archdeacon and ecclesiastical judge Hiob von Dobeneck, but especially for the bishops Johann VII of Meissen and Adolf of Merseburg, with whom he work together extensively during the early years of the Reformation.[190]

187 See Pfau, 196.

188 Duke George's letter to Bishop Adolf of Merseburg, Dresden, October 19, 1519, ABKG, Vol. 1, 101 f.

189 Duke George's letter to [Bartel Prassler,] the bailiff of Schellenberg, Dresden, June 27, 1517, ibid., 15 f.

190 See ch. 8, section 2. About Dobeneck, see p. 255 f.

Therefore, collaboration rather than competition with religious powers can be seen as a symbol of Duke George's politics for the lower clergy. However, it was a working alliance in which the duke asserted himself with self-confidence and often dominance. He also made presumptions about capabilities that went far beyond canon law and the princely practices of the times. A definitive example of the self-assured and unorthodox style of Albertine church governance is a proposal made to Cardinal Albrecht in 1520. Together with the archbishop of Mainz, Duke George wished to conduct visitations at the parishes of Dornburg and Vierzehnheiligen in the Saale Valley. Once again, it was pleas from the village communities and a report from the local bailiff that made the prince aware of the town priests' immoral lifestyles and deficiencies in the execution of their offices. "Since we do not like to see the priesthood abused or otherwise insulted through mischievous conduct," Duke George decided to intervene. Because a complaint to the keeper of seals in Erfurt remained "futile," he demanded that the bishop himself look into the matter by sending visitators. Once more, however, Duke George did not have faith in a solution to the problem being reached by the religious powers alone. Corresponding to his ideal of collaboration and control, he wished to represent himself on site as secular ruler along with his advisors, and to conduct the visitation together with the Bishop.[191]

4 The Priest as Subject

A central feature of Duke George's church governance was the integration of the lower clergy into the society of territorial subjects. As with the earlier mediatization of the bishops, this seemed to be a partial process of integrating the church into the territorial realm. It was also an expression of the duke's desire for a leveling out during the development of the early modern territorial state. The contemporary politics of municipal authorities was indicative of comparable precursors.[192] One can hardly doubt Duke George's political will to substantially integrate the church and clergy into the territory and under his own rule. As Johanna Naendrup-Reimann has ascertained, the cause of similar processes is more likely to be found in the day-to-day political conflicts between secular and religious powers, unlike during the fourteenth century.[193]

191 Duke George's letter to Cardinal Albrecht, Weissenfels, May 17, 1520, ABKG, Vol. 1, 120 f.

192 See Moeller, *Reichsstadt und Reformation*; Hamm, *Bürgertum*; as case studies, Heitzenröder; Gössner.

193 See Naendrup-Reimann, 172.

This marks a systematic characteristic of the rise of the territorial state at the end of the fifteenth century.

In order to integrate the lower clergy into the society of ducal subjects, the clergy's special position had to be leveled out.[194] This process, however, was slowed significantly by the immunity privileges based in Canon law, because they couldn't officially be eliminated by the duke. Instead, they were quietly circumvented. As Manfred Schulze found, when considering Duke Wilhelm's Thuringian law code of 1446,[195] a cleric becoming a subject was not something that could be postulated by mandate; it had to actually occur in practice by bringing the lower clergy, step by step, to accept the secular prince as the binding authority.

Elements of this integration process were already observable in the fourteenth century. This included the personal taxing of the clergy, the guarantee of freedom to write a will, and the application of secular jurisdiction over the clergy. On the mental level, the concept of the clergy being included among subjects is shown in the differentiation between "domestic" clergy and "foreign" bishops or "external" ecclesiastical judges.[196] Thus, the clergy's priority on territorial affiliation was made clear in comparison to religious association determined by diocese borders.[197] By 1401, the Wettins had obtained a papal privilege against the citation of their subjects before ecclesiastical judges residing outside the territory (*Privilegium de non evocandis subditis*).[198]

For Duke George's church governance, there is a series of verifiable developments that indicates a progressive integration of the lower clergy, which includes the claim of secular jurisdiction over priests and vicars in civil cases, especially conflicts over the income from prebends. In such cases, the prince would make a judgment himself, or order his officers to either mediate or try the case. He would often place his trust in a mixed mediation commission of secular and ecclesiastical judges, and he consciously tried to prevent cases of dispute from being tried before a court of the church. That members of the lower clergy acknowledged the jurisdiction of secular courts is indicated by pastors who turned to the duke's court with their lawsuits.[199]

On the other hand, the duke protected and defended members of the lower clergy who resided in his territory just as he did his secular subjects.

194 See Plöchl, Vol. 2, 190–194.

195 See Schulze, *Fürsten*, 53–55.

196 See p. 34 f. and also below in this section.

197 See Naendrup, Reimann, 167 f. See also p. 440–446.

198 See Zieschang, 30–32, 42; Naendrup-Reimann, 167 f.

199 For examples, see ch. 8.

By protecting them from feuds, individual threats of violence and other adversities,[200] and by providing executive assistance from his officials to collect overdue taxes and tithes and to maintain vicarages,[201] Duke George fed the perception that he considered the lower clergy to be his subjects.

Thus, the boundaries became noticeably blurred. The aforementioned *Privilegium de non evocandis subditis* applied to the lower clergy under Duke George; for example, the pastor Gregor Walther from Pirna appealed to the duke in 1512 because the Dominicans in Pirna had pressed charges against him with their *conservator*, the provost in Neuwerk near Halle. There were already earlier instances of pastors from Pirna seeking and receiving support from Duke George for the same reason;[202] however, Gregor Walther has especially high hopes for help from the duke since, as a former scribe in the ducal chancery, he had stood in close, direct contact with Duke George.[203] In fact, the duke did act forcefully on behalf of his former clerk. He appealed to the moral responsibility of the Dominicans in Pirna to retract the suit. This was out of regard for the unity between the regular and secular clergies and as a prerequisite for the "betterment of the common people." He also offered to mediate the dispute himself; however, should the Dominicans insist on an ecclesiastical trial, then they were certain to be appearing before a local judge—namely the bishop of Meissen—and should "desist from your exertion of subjugation to an external court."[204] When Duke George and his former chancery scribe Walther (as a secular clergyman) then asserted the *Privilegium de non*

200 See e.g. Duke George's letter of safe conduct to the pastor in Rechenberg, December 11, 1500, cop. 106, fol. 123r; about the protection of the pastors in Elsterwerda and Ortrand against the feud with Jacob von Köckeritz, see p. 211 f.

201 Some examples: the bailiff should guarantee payments from tithes and contributions to the pastor through seizures from subjects if necessary. See Duke George's letter to the bailiff of Pirna, January 16, 1503, cop. 108, fol. 168v; for similar cases, see Duke George's letter to the bailiff of Senftenberg, Dresden, March 30, 1512, Cop. 116, fol 224v–225r; Duke George's letter to Rudolf von Bünau the Elder in Droyssig, Annaberg, March 5, 1523, ABKG, Vol. 1, 476 f.; Duke George's letter to Sittich von Berlepsch, Leipzig, April 26, 1523, ibid., 499; Duke George's letter to the congregation of Oberdorla, Niederdorla and Langula, Dresden, March 13, 1524, ibid., 617 f. The bailiff should ensure that the pastor has ownership of an arable field. See Duke George's letter to the bailiff of Langensalza, April 1, 1495, cop. 105, fol. 123v. The municipal council should guarantee the pastor the income from a meat stall at the market in Chemnitz. See Duke George's letter to the Chemnitz council, Dresden, April 23, 1510, cop. 116, fol. 21r.

202 See Duke George's letter to the pastor of Pirna, December 14, 1502, cop. 108, fol. 147r.

203 See Volkmar, "Hofrat," 86.

204 Duke George's letter to the Dominicans in Pirna, Dresden, February 4, 1512, cop. 116, fol. 203v–204r.

evocandis subditis, it meant that they were counting the lower clergy as subjects under Albertine rule.

4.1 *Taxation*

Clerical state privileges also protected the clergy from increasingly regular demands for taxes by princes toward the end of the late Middle Ages. However, this tax exemption was applied *ad personam* to members of the clerical state, and was not valid for landlords of ecclesiastical property or their subjects. Only the bishop had the right to tax the clergy.[205] At first, the duke successfully included the clergy under imperial taxation. For George, this was documented with the common penny tax of 1495 and the Turkish taxations of 1500 and 1529.[206] However, there were some refusals, and in 1529 Cardinal Albrecht of Brandenburg tried to reach George by referencing the burdens of the Peasant's War and the Reformation. He hoped the Thuringian clergy would be exempted from the imperial Turkish tax levied by the duke.[207] The well-known cleric tax dispute from 1480–1482[208] shows how heavy conflict over taxation issues could become between the princes and the independent imperial bishops. Apparently, the clergy's position seemed to be much less advantageous in other

205 Taxation of the clergy was a part of the supervisory law afforded bishops. See Hinschius, Vol. 2, 38–42; Bünz, *Der niedere Klerus*, 137–144; Mack.—The best researched example of taxation of the clergy by bishops in Central Germany is the *Subsidium caritativum* of the archbishop of Mainz. See Bünz, *Der niedere Klerus*, 137–200; id., *Mainzer Subsidienregister*, id., "Bistumsfinanzen"; ABKG, Vol. 1, LXXXI–LXXXVIII.—The bishops of Meissen collected a regular *Subsidium biennale* and a special *Subsidium caritativum* from the clergy. See the financial report of the Bishop Johann VI of Meissen, Stolpen, July 20 1512, Schirmer, "Verwaltungsbericht," 78–98, here 85, 94; Starke, 296–311, 321–327 (both using the *Liber Salhusii* of 1495).

206 See Goerlitz, 349–385; Schirmer, "Grundriß," 161–169; id., *Kursächsische Staatsfinanzen*, 239 f.—Facing George's imperial Turkish tax demands in 1500, the provincial commander of the Teutonic Order in Thuringia sought guidance from the leadership of the order. See Protokoll des Gebietigerrats des Deutschen Ordens [June 25, 1501], Biskup/Janosz-Biskupowa, 32 f.

207 See n. 212.—With the imperial Turkish tax of 1529, Duke George ordered to take inventories of all the church assets, and for the results to be given to the tax collectors. See Duke George's printed order, Dresden, November 29, 1529, loc. 14954, fascicle "1529," several copies. A broadsheet from April 6, 1530 repeated this order (see ibid., fascicle "1530"). Apparently, this order was followed, as ducal files provide informations on wealth and income from various Saxon benefices. See loc. 10040, Obersteuerkollegium, Landsteuerregister, nos. 293, 294, 304, 306 (1529/30); see also Blaschke, "Fiskus," 490, n. 14.

208 See ch. 3, section 2.

parts of Latin Christendom, for instance, in France. As early as 1452, however, Kaiser Friedrich III also received a privilege from the pope to tax the clergy.[209]

Now the goal of Duke George's church politics was to oblige the clergy to pay territorial taxes. This was not only in the financial interest of his administration; integrating the clergy into the society of his subjects adhered to his church politics.[210] Specifically, this meant a mandate for a beverage tithe (one of the sales taxes payable by a proprietor) "that when pastors and priests [...] distribute or otherwise sell beer and wine, they must give us the tithe as usual, so that everywhere among our subjects the tithing is uniformly upheld."[211] George countered criticism for taxes on the clergy by making reference to his military protection, which the clergy enjoyed just like the rest of his subjects. For this, they were expected to occasionally spend more than just a *deo gracias*. George felt justified, especially after his successful action in the Peasant's War, since the clergy had been defended by him "more successfully than by surrounding neighbors."[212]

Several pieces of evidence show that Duke George was quite successful. At the same time, however, he clearly encountered resistance from the powers of tradition. First, he was able to include the clergy under territorial taxation. This meant a poll tax and a direct tax on wealth, which, similar to a late medieval beede, had to be approved each time by the territory's diet. The first of this sort of territorial tax was requested by Duke Albrecht in 1488 for his military campaign in the Netherlands. Prelates, canons, monks and priests were already included under it.[213] In 1499, the first territorial tax under Duke George's rule was instituted. Under this "Frisian tax," not only subjects living on clerical estates

209 See Hashagen, *Staat und Kirche*, 126 f.; Thomson, 167–181.

210 See ch. 2, section 2, and ch. 8, section 1.

211 Duke George's printed text, Dresden, November 26, 1526, loc. 14954, fascicle "1526", unpaginated.

212 This was Duke George's answer to Cardinal Albrecht's demand for exemption from the Turkish tax of 1529. He had "protected the clergy, who have property in our territory [...], who have always been trustworthy along with our subjects; and done so with more support than from a surrounding neighbor who has only uttered prayers of *deo gracias*. And surely, they have always been able to endure. However, now for once, despite their complaints, they should also do that which will keep them and our land free of harm [meaning to pay the Turkish tax] [...]." (quoted from Goerlitz, 372, n. 5).—by 1502 George had already used military protection to justify the taxation of subjects in the diocese of Meissen. See Zieschang, 96 f.; generally: Mikat, 305 f.

213 See Bünz, *Der niedere Klerus*, 139, n. 12.—Also by the middle of the fifteenth century the lower clergy were included under ducal bedes and non-cash payments—for example the 1466 bede. In 1446, the Wettins had procured papal permission to tax the lower clergy.

were taxed, but also the entire clergy. This is proven by a protest note of the priests in the district of Rochsburg who refused to pay the tax.[214]

Under these conditions, the Duke had to repeatedly fight for the right to tax the lower clergy. It remains unclear whether they were regularly included under the territorial taxes after 1499 or not; however, there is sufficient evidence that George continued his politics. His first will of 1510 refers to a lawsuit in Rome directed against the tax he had instituted on the clergy of Friesland.[215] In 1517 he was able to place the secular clergy in the territory of Sagan under direct taxation for three years. This tax was not only levied on priests residing in the principality of Sagan, but was also to be paid by foreign clerics living in Cottbus, Sorau, Gőrlitz and Bautzen if they held interest income in Sagan. The tax rate was extraordinarily high, at an estimated third of all interest earned by the clergy.[216]

Much later, George was also able to bring the secular clergy under indirect sales tax, just as he had with direct taxes. In this case, beverage tithes were of central importance. Paid by the proprietors of drinking establishments, they were in effect throughout the territory from 1513, replacing the former "ungeld" excise tax. The new tax was to have applied directly to the secular clergy, since many pastors served beer and wine themselves. As was often the case, despite being forbidden under canon law, there existed a sort of loophole. The clergy were allowed to apply the regular income from their prebends for commercial use in order to make a living. Thus, many priests made and distributed beer and wine. Some clergymen with a head for business even bought beverages from external sources and ran their taverns on a grand scale.

Unfortunately, this was part of the privilege granted by the Council Pope Felix of Basel, which were subsequently nullified by the Roman papacy. See Zieschang, 94 f.

214 See Goerlitz, 349–355; Schirmer, "Grundriss," 168 f.

215 See Duke George's will of December 19, 1510, O. U., no. 9875, fol. 8v.

216 In April 1517, after negotiations in an assembly with members of the secular clergy residing in Sagan, George sent his advisors to seek concessions from the external clergy. In doing so, he did not demand any taxes at first; instead, he proposed a temporary halt to the clergy's interest income in order to bring relief to Sagan's taxpayers. Understandably, the clergy's representatives did not consent to this demand, but indicated readiness on their part to pay the taxes. Separate negotiations were held with the clergy from Goerlitz and Bautzen, but there is no information from the source whether they finally paid or not. See Duke George's instructions to Dr. Georg von Breitenbach and Wolf von Schleinitz in Ragewitz for the negotiations in a meeting in Sagan on April 30, 1517, loc.10337/39, fol. 6–9; Report by Dr. Georg von Breitenbach and Wolf von Schleinitz about the negotiations, ibid., fol. 21–30.

To the annoyance of the competition among the laity, the taverns run by priests were considered to fall under the principle of freedom from taxation. This is indicated in a letter sent in 1521 from George's sons, the Princes Johann the Younger and Friedrich the Younger, to Bishop Johann VII of Meissen. Acting as governors on behalf of their father, they requested the bishop to enforce Canon law and ban all inns run by clergy. The princes argued that the violation of this church law, which had been explicitly affirmed by Johann VI, caused them loss of tax revenue (since there was a 20 percent tax on drinks that clerics did not pay), and their subjects suffered a severe loss of income due to the unfair competition.[217] In 1526, Duke George's beverage tax mandate enforced the taxation of all taverns run by clergy. While repeating the fundamental criticism of the clergy's public houses, the mandate functioned pragmatically. In order not to be closed down, the clergy had to pay at least the same tax as the laity, so that "between our subjects, an equality of tithes" was achieved.[218]

4.2 *Territorial Laws on Interest Rates*

Duke George's political will for the integration of the clergy is evident in its inclusion under territorial law.[219] Duke George's regulations in the battle against usury were an aspect that had an enormous financial effect on the lower clergy and, along with coinage politics, belonged to the central economic-political measures of his rule. The goal of ducal politics was the imposition of a 5 percent interest rate, which, within the reform discussion, was considered to be

217 Letter from Duke Johann the Younger and Duke Friedrich the Younger to Bishop Johann VII of Meissen, Dresden, May 8, 1521, ABKG, Vol. 1, 164 f.

218 Incidentally, the mandate called not only for the clergy's submission to the beverage tax, but also the taxing of public houses of the gentry. See also Goerlitz, 382 f.—The complete text of the relevant passage is "Since also in the last collection of such tithes, we noticed frequent abuse which was unfavorable to us, and especially that the clergy and priesthood were pouring, serving or selling beer or wine to others--or perhaps you with your own brewed beer, home-grown wine or prepared drinks--in the parish courtyard. This remained untaxed, however, and we wish you to decree that these abuses be stopped; indeed that when pastors and priests or you yourself sell beer, wine or something else that the tithes are given to us as usual. This is so that everywhere among our subjects, the portion of the tithes should be kept equal, so that we will not have given in to the clergy. They should not have taverns and serve beer or wine against the law, but instead they should act appropriately and maintain established tradition so that the common folk have no cause to make complaints about them."

219 About the problem of issuing territorial legislation in the late Middle Ages, see Janssen, "Gesetzgebung"; Schubert, "Gebot."

Christian, justified and generated by sound economics.[220] In the draft territorial law code of 1498, higher interest rates were designated to be usury "from which will grow sin and harm to people." That is why an interest rate of 5 percent was applied to resale businesses and all other businesses that generated interest.[221] Many directives during Duke George's reign show that the interest politics were closely adhered to. They also show, however, that in practice there were many violations observed over a long period.[222]

This secular law had wide-reaching consequences for the clergy and affected a vital aspect of its financial support. This was due to the recently instituted prebends and benefices of the late Middle Ages that were based on the interest yielded from resale businesses. As a result, the ducal government gave the clergy a free hand during the early part of Duke George's rule. This is evidenced by a decision instituted in Duke George's name. It involved two of the duke's clerical counselors who arbitrated a disagreement concerning the endowment of a prebend at the collegiate church in Freiberg. The diocese was expressly given permission to charge an interest rate higher than 5 percent for the principal sum of the prebend endowment and to keep the surplus.[223]

However, a change of mind soon took hold in the ducal court council. Documentation from the 1520s has been preserved that indicates an enforcement of the official norm with regard to the clergy. To this end, George sent a warning in June 1523 to the bishops of Meissen and Breslau that the clergy in their dioceses should maintain interest rates. The trigger was a corresponding regulation of the (Bohemian) high official in Lower Silesia, who George took the opportunity to remind, "We have also so ordered in our principalities, and we mean for it to be strictly obeyed."[224] Above all, the Albertine took the clergy's complaints about high interest charges as an excuse to directly seize

220 The theological and economic justification for the 5% interest rate by Johannes Eck was quite effective during the so-called Upper German interest dispute. See Wurm.

221 Draft of a comprehensive territorial law by the Wettins [prior to July 9, 1498], Burkhardt, *Landtagsakten*, 35–40.

222 See loc. 14954, Mandatesammlung, passim.

223 See Duke George's arbitration regarding the endowment of a prebend at the Collegiate Church of our Lady in Freiberg by the Steitan brothers, Dresden, August 16, 1493, CDS, II, Vol. 12, 584 f. The arbitration in the dispute between the benefactors and the collegiate church was negotiated by the Meissen canon and collegiate at the University of Leipzig, Dr. Andreas Rüdiger von Görlitz and Duke George's chancellor, Dr. Johann Erolt.

224 Duke George's letter to Bishop Jakob of Bresslau and Bishop Johann VII of Meissen, Dresden, June 30, 1523, ABKG, Vol. 1, 532.—The high officer's regulations in Lower Silesia were somewhat relevant for Duke George, because the neighboring territories of Sagan and Prebus belonged to the Duchy of Lower Silesia.

prebend revenues, as happened in 1524 in the above-described case of the clerical fiefs in Radeberg.[225] The arbitration decision with which Duke George and Bishop Johann VII resolved complaints by the city of Dresden against the local clergy also set reduced interest rates as a goal. The resale business, by which most clerical fiefs earned their interest, was fixed for the future at a ducal interest rate of only 5 percent. At the same time, the interest rate in older contracts, which had sometimes reached 10 percent, was reduced to a maximum of 6.66 percent (1/15), a small concession to the prebend holders, who nonetheless had to get along without further compensation.[226] With this sort of intervention, George was actually able to make secular legislation valid for the lower clergy, and in doing so, he pushed ahead with their reclassification within the territorial state.

5 "Episcopal functions?" The Territorial Lord as a Rival to the Bishop

The comprehensive exertion of power over the lower clergy became evident in the variety of ways Duke George's regime made use of its functions and rights. As shown in the previous section, this was indicated by the process of integrating the lower clergy into the society of territorial subjects. Still further, the prince took over rights of authority that were actually part of the religious powers for which the bishops were responsible. As shown above, this especially impacted the way clerics performed their duties as well as their lifestyles. In addition, the duke's church governance increasingly challenged the bishops' authority. The prince took over "episcopal functions" everywhere.[227]

5.1 *Confirmation of Ecclesiastical Foundations*

The certification of ecclesiastical fiefs was one of the bishops' rights claimed by the duke. The competition could be felt at all levels, from the testamentary dispositions of the laity to the duke's 1499 approval of Meissen's cathedral chapter statutes.[228] The duke also claimed confirmation rights over the fiefs and fraternities of the lower clergy. One of Duke George's certificates from 1509 confirms that the previously mentioned altar prebend in the Leipzig

225 See above, section 1.

226 The arbitration report of Duke George and Bishop Johann VII of Meissen, Dresden, January 14, 1520, Richter, *Verfassungs- und Verwaltungsgeschichte*, Vol. 3, 341–344.

227 About the term see Rankl, 266.

228 About the practice of the Wettins in the fifteenth century, see Zieschang, 117 f.; Reinhard, *Meditationes*, 95–102.

castle chapel was awarded to the vicar Christoph Überacker from Leipzig.[229] Lucas Mőller, the pastor of Struppen (near Pirna) received a ducal confirmation to secure his mass benefice. The duke also used his position as certifying authority to ensure that the elements of the fief included a piece of arable land and the right to earn income from it, plus continued legal status for the secular property.[230] In addition to the pastor from Struppen, the monks at the Celestine monastery, newly founded by Duke George on the nearby Kőnigstein, were also among the beneficiaries of the memorial mass benefice.[231] The certificate with which the duke endorsed the Kaland fraternity of priests in the district of Camburg on August 29, 1511 is an example of the certification of secular fraternities.[232]

With the confirmation of ecclesiastical benefices, George stood in direct competition with the bishops because they too carried out the certification of altar and mass benefices, as well as fraternities and the wills of the clergy. A cartulary titled "Confirmations of Ecclesiastical Fiefs" kept by the bishop of Merseburg provides evidence of this as do certificates from the bishop of Meissen regarding altars, fraternities and memorial masses in the Oschatz parish church.[233] Because certificates of confirmation, whether from a bishop or the duke, indicate the initiative of the donor as the trigger for certification, one may assume that the choice of which authority to use lay in in the hands of the donor. The competition for responsibility was apparently not regarded as problematic by Duke George; in any case, a fundamental conflict in which the duke would have had to challenge the bishops' vested rights did not take place. The key to understanding the prince's approach is to realize, once again, that Duke George never claimed to exercise ecclesiastical rights, and certainly not the rights of bishops when certifying benefices. It is more likely that he called on the stereotypical formula with which to legitimize his actions, "our princely might, power and authority;"[234] in other words, his territorial rule was the decisive source of his church governance.

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229 See Duke George's benefice certificate, Leipzig, October 11, 1509, Domstiftsarchiv Merseburg, Berb. VII, no. 42, fol. 69 f.

230 See Duke George's benefice certificate, Dresden, March 1519, loc. 10508/4, fol. 1.

231 See ibid.

232 See Duke George'e benefice certificate, August 29, 1511, loc. 10041/9, fol. 11r.—In the same file (ibid., fol. 7v) there is a document confirming a lay fraternity of the Senftenberg shoemakers' guild from October 4, 1510.

233 See Domstiftsarchiv Merseburg, cod. 174, "Confirmationes Geistlichen Lehn [...]," 1454–1540; O. U., DpO, no. 89–91 (1495), 104 f. (1501).—For the confirmation of mass and altar benefices in Annaberg by the bishop of Meissen, see ABKG, Vol. 1, 496 f., n. 1.

234 George's benefice certificate, 1509 (as in n. 229).

5.2 *Permission to Draw Up a Will Freely*

The prince's interference in the clergy's testamentary rights was particularly inflammatory. This was due to the fact that while benefices for the clergy were commonplace throughout the Middle Ages, upon death, they did not have access to rights over their personal wealth. Who actually had legitimate claims of succession to the lower clergy's property, and therefore the right of spoliation, was a point of contention. According to canon law, the local church—meaning the bishop—was to receive the spoils of the lower clergy; however, in keeping with the tradition of private churches, the patron, or by royal rights the duke, was also permitted to lodge claims. The deciding factor was that the clergy itself had the greatest interest in determining their own assets through a will. This is why they strove to achieve testamentary freedom. Once again, permission for testamentary freedom was a right of the bishops, who also received a portion of the inheritance. However, this was another area where the duke competed with the ordinaries. In George's case, it shows that ducal politics were less interested in the assets gained by certifying the wills of clerics, and more interested in creating stronger ties to the lower clergy by addressing their concerns. The clergy also had a special interest in the duke as the strongest prevailing power who could protect a will against the threat of intervention by a bishop or patron following the death of a testator.[235]

From the beginning of the fifteenth century, the first privileges from the Wettin dukes already ensured testamentary freedom at the official level of the organized priesthood. Beyond the hoped-for increase in loyalty, the princes were compensated with religious services for their legal protection of clerics. In 1414, the first known privilege of this kind was granted by Wilhelm II, permitting testamentary freedom to the clergy in the districts of Leuchtenburg and Eisenberg and obligating the clerics to hold annual requiem masses on behalf of deceased members of the prince's family line.[236]

Duke George even considered a general testamentary freedom for the lower clergy that would be guaranteed by his government. A corresponding privilege issued to the priests, parish curates and vicars in the district of Schellenberg mentions no recompense.[237] This approach put Duke George in direct conflict with the demands of Bishop Johann VI. He defended episcopal *jus spolii* and added the canonical testamentary ban to the printed synodal statutes

235 See Kaps; Petke, "Spolienrecht"; Mikat, 307 f.; Ulbrich's example of the margraviate Brandenburg-Kulmbach, 77 f.; Rankl's Bavaria example, 254–256.

236 See Duke Wilhelm II's certificate, February 18, 1414, Reinhard, *Meditationes*, 265–267. Further evidence ibid., 254–268. See also Schulze, *Fürsten*, 54.

237 See Duke George's privilege, n.d., loc. 7440/11.

of 1504.[238] This was despite Bishop Albert III having already confirmed general testamentary rights for the secular clergy in 1307.[239] The case of the pastor in Mildenau is an example of the clash between episcopal financial interests and the duke's church governance. After the pastor died in 1495, Duke George ordered the bailiff of Wolkenstein to enquire about a will with those clerics who had been present at the deathbed. Shortly after, the order was given to secure the estate.[240] Bishop Johann VI then placed a claim on the estate with the bailiff. At the same time, he excommunicated the new pastor in Mildenau, most likely because he had transferred the estate to the bailiff. At this point, the Dresden court council directly and successfully intervened. The bishop relented; he lifted the excommunication from the pastor in Mildenau and accepted that Duke George held final authority over the estate.[241]

This pattern repeats itself. In 1500, Duke George defended the last will of David Eberlein, a vicar from Geyer, against the claims of the Bishop. The executor chosen by the deceased turned to the prince for help. As a result, the bishop received a request to withdraw his commissars and to collect from the ecclesiastical lawsuit in order for the will to be processed.[242] Because the bishop was so fixated on the collection of spoils, the duke was able to present himself in the role of an unselfish protector, even to the point of protecting the clergy from the infringements of their own bishop.

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238 See Meissen's diocese statutes, 1504, CDS, II, Vol. 3, 317 f., the corresponding section is overwritten *"De testamentis et hiis qui liberam facultatem testandi inhibent."* About the statutes, see Wiegand, "Statutengesetzgebung Meißen."—An example of the bishop's will certification is offered by the case of Balthasar Langweber, vicar in Mittweida, who left his property to the St Anne altar of the parish church in Oschatz, or the Oschatz fraternity of shoemakers (*"quod unum et idem est"*). See the notarial instrument about Balthasar Langweber's will, Mittweida, November 22, 1495, O. U., dep. Mittweida, no. 42; Approval by Bishop Johann VI of Meißen, Zschillen, March 30, 1499, ibid. (as a notation on the reverse side).

239 See Rogge, "Bischof und Domkapitel," 196.

240 See Duke George's letter to the bailiff of Wolkenstein, February 24, April 10, and May 16, 1495, cop. 105, fol. 99r, 132v, 152r.

241 Duke George's governor's letter to Bishop Johann VI of Meißen, [Dresden] June 9, 1495, ibid., fol. 165v; letter by the same to the bailiff of Wolkenstein, [Dresden] June 9/11, 1495, ibid., fol. 166r, 167r.—It remains unclear whether Duke George would have secured the inheritance for himself as there was no will available in this case. For Bavaria, Rankl suggested that the duke generally claimed rights of succession for ecclesiastical estates without wills or shared them with the bishop. See Rankl, 256.

242 See Duke George's letter to Bishop Johann VI of Meissen, Schneeberg, November 20, 1500, cop. 106, fol. 136.

5.3 *Providing for Unemployed Clergymen*

A last example of "episcopal functions" claimed by the duke is the care that was given to clerics without prebends. Here, George's attitude reveals typical features of his church politics. While he had the intention and willingness to take on problems of the church, he did not claim to solve all of its problems alone through the marginalization of ecclesiastical authority.

Unlike in Bavaria, where the dukes themselves awarded so-called "table titles" to clerics without prebends,[243] Duke George regarded the provision of subsistence for clergy to be the duty of the bishops and prelates. This viewpoint was covered by canon law; every cleric who was not ordained as deacon or priest was entitled to a livelihood from the consecrating bishop.[244]

In a loose application of this rule, Duke George sent the petition of a needy priest to the abbot of Pegau in 1509. With references to earlier services the cleric had performed for the monastery, he obligated the abbot to take care of the priest for a period of time. An example from 1503 involving an indigent cleric who created social problems in his community shows that the prince was active in similar cases. The nobleman Hans Pflug sought the help of his prince because a priest without benefices named Thomas had been causing a commotion in his village, Frauenhain. "At times, he is robbed of his senses and reason and runs about the parish." He was reported to have insulted the pastor and chaplains, drunk in the public house, and there "he creates much mischief with the peasants."

Despite having fallen so deeply into the social abyss, the priest still enjoyed the privileges of the clerical state. For this reason, Duke George was concerned for the laymen who had contact with him, because it was "to be feared that he would insult someone, that he might be assaulted by people, or be in danger and come to harm." Any physical violence against the disgracefully behaved priest, however, would have brought sanctions against the entire village; therefore, Duke George demanded that Bishop Johann VI take "the poor priest who has run into such wretchedness" and if necessary, intern him in his Stolpen Castle until he became reasonable and more manageable.[245]

5.4 *Rivalry or Double Control?*

Duke George's far-reaching infringements upon the bishops' sphere of authority did have a long-term impact. Regardless of the intentions of those involved, the duke's constant interference created faits accomplis. They changed the

243 See Rankl, 261.

244 See Feine, 346, after canon c. 4 X III 5.

245 Duke George's letter to Bishop Johann VI of Meissen, May 17, 1503, cop. 108, fol. 237r.

relationship of the secular ruler to the lower clergy as much as the relationship of the clergy to its bishop. As a result, the lower clergy had to accept the fact that the duke had imposed a second authority upon its life that could compete with the bishop through its demands and assertions. Sometimes, the importance of the duke as a ruling authority seemed to exceed even that of the bishop since the lower clergy saw themselves being increasingly subjected to the secular claims of power by the territorial state. The new situation became especially obvious whenever the duke and the bishop faced off in competition for influence over the lower clergy. This could place the clergy in a serious conflict of loyalties. If the prince won the battle for the clergy's adherence, he could even force himself between the lower clergy and the bishop and interrupt the ecclesiastical hierarchy.

One might imagine that maneuvering between two masters could bring the lower clergy new freedoms; in practice, however, this played a minor role, perhaps because the intensification of authoritarian intervention compared to the previously rather lax supervision by the bishop carried more weight. Authoritative control was actually strengthened through collaboration between the two powers, as was shown by the close cooperation between Bishop Johann VII of Meissen and Duke George.[246] The notebooks in the Dresden chancery verify how the written changes functioned in practice. They show that the duke was able to step between the clergy and the bishop as the ruling authority, and that the bishop had to accept the altered situation. This became especially clear in cases of conflict, such as the dispute between George and Johann VI.

Three examples illustrate this new situation. The above-described battle over the estate of the pastor in Mildenau is illuminating because the bishop of Meissen, forced by the duke to rescind the excommunication of the new pastor, did not inform the clergyman himself of the retraction. Instead, he sent a corresponding document to Dresden, where it made its way to the pastor by way of the ducal bailiff.[247] The conflict between the imprisoned priest from Annaberg, Dr. Johann Pfennig,[248] and his parish administrator, reveals even more clearly the impairment to the church's appeals process caused by the prince's presence. Johann VI named Erhardt Buchner, the canon of Wurzen, as *Commissarius* to decide the legal battle between the pastor and vicar, the

246 See ch. 8, section 2.

247 See the letter from Duke George's governor to the bailiff of Wolkenstein, [Dresden] June 11, 1495, cop. 105, fol. 167r.

248 About Johann Pfennig, who found himself in the custody of the bishop in Stolpen Castle after his escape to the Hussites in 1501, see p. 467 f.

nature of which is not revealed by the sources. He summoned the parties to Wurzen.

The vicar from Annaberg, however, did not see the bishop's jurisdiction as binding; instead, he informed Duke George of the summons to Wurzen. When he received no guidance in the matter outside of Dresden, he assumed that "his grace had resolved the matter with the bishop or the *Commissarius"* and he simply stayed home. The bishop reacted harshly and excommunicated the vicar for disregarding his ecclesiastical superiors. Duke George, however, failed to find fault with the conduct of the cleric from Annaberg. Thus, he demanded that the *Commissarius* lift the excommunication, and as rectification, he promised to order the vicar to Wurzen.[249] It was only with the approval of the duke that ecclesiastical arbitration finally began. Of course, Duke George also arranged to receive reports on the proceedings out of Annaberg.[250]

In extreme cases, the lower clergy even used the prince's new authority to circumvent all ecclesiastical levels in order to deal directly with their own bishop. For example, in 1503 the vicar Matern Pirstyn played the duke against Bishop Johann VI in order to achieve his pension demands. Pirstyn claimed that he had transferred a fief in Stolpen to the bishop, but that he had not received the agreed-to pension of six florins for the previous eight years. During the high point of his conflict with Johann, Duke George took an interest in representing the secular clergy out of political calculation, and the bishop received harsh instructions to fulfill the vicar's demands.[251]

On the other hand, Bishop Johann VI was the only spiritual leader who dared to protest against the duke's impositions. His complaints in 1502 were directed against Duke George for accepting grievances against the bishop from common subjects and subsequently confronting him (the bishop) with them. The duke's clearly antagonistic position would have also been valid for the lower clergy's suits against the bishop, "now your lordship can judge what advantage or pleasure we might gain, and since we owe nothing to our princely authority, we might prefer to let such legal complaints be, rather than be concerned with them."[252]

Derived from Duke George's "princely authority" and also from his position of territorial rule—when compared to the bishop of Meissen—the responsibility to observe the rule of law was sufficient reason and legitimacy for him.

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249 Duke George's letter [to the *Commissarius* Erhardt Buchner at Wurzen], March 21, 1503, cop. 108, fol. 219v.

250 Duke George's letter to the parish warden in Annaberg, April 21, 1503, ibid., fol. 252v.

251 Duke George's letter to Bishop Johann VI of Meissen, February 18, 1503, ibid., fol. 192r.

252 See Duke George's letter to Bishop Johann VI of Meissen [1502], loc. 8985/4, fol. 2 f.

However, it was his rank as prince that brought him to a significantly stronger position in his competition with the mediatized bishop. It is hardly a wonder that, in reverse, there was no hint of comparable suits brought by the lower clergy against the duke that might have been heard before the bishop.

From the perspective of the lower clergy, the new realities were also tangible. The ruling authority to which they chose to appeal indirectly revealed much about their expected chances for success. This was apparently so with the lower clergy and the duke when he exerted his "episcopal functions." There are several examples that show how the lower clergy made use of the new situation and called on the prince to employ bishop-like functions. The aging pastor in Seelitz, Nikolaus Gebhard, sent a plea to Duke George for permission to hire an assistant vicar for three years. Because of his age, he "should not preside over the people of his parish." The duke approved the petition and recommended that the provincial commander in Zwätzen accept the prebend as patron.[253] The same pattern can be observed in the behavior of the pastor, Master Luzius from Radeberg. He was dissatisfied with the schoolmaster because "he was not providing services to either him or the church." When the complaint was submitted to the duke, he responded by ordering the Radeberg council, as owner of the patronage, to dismiss the schoolmaster and, "with the pastor's advice," to appoint a new one.[254]

How the ducal authority made use of the clergy—even with regard to ecclesiastical justice—is indicated by the provost of the Gerbstedt convent in 1514. He did not bring his heavy accusations against the pastor at "Leynen" directly to the provost of Neuwerk as the appropriate authority; instead, he informed the duke about the transgressions of the pastor. He was supposedly responsible for manslaughter and refused to cancel the celebration of mass due to the accusations. The provost requested that the case be brought before an ecclesiastical judge.[255]

Duke George's constant interventions in all matters of the lower clergy led to acceptance, even by the bishops, of the duke taking responsibility for all disputes. This was made clear by the suspension of Johannes Schmauss, the town pastor of Rochlitz. Schmauss, a Teutonic Knight, had received the pastor position from the provincial commander of the Thuringian bailiwick of his

253 See Duke George's letter to the provincial commander at Zwätzen, February 28, 1503, cop. 108, fol. 202r.

254 Duke George's letter to the Radeberg council, [Dresden] April 14, 1512, cop. 116, fol. 229r.

255 See the letter from Duke George's governor to Dr. Johannes Pals, Provost of Neuwerk, Leipzig, April 25, 1514, cop. 119, fol. 13r.

Order.[256] However, when he sought a leave of absence in 1527 in order to take care of some personal matters, he did not appeal to his patron and head of his order, nor to the responsible bishop in Merseburg. Instead, he sought leave from Duke George, the secular territorial ruler. Subsequently, Duke George, who decided against the request, failed to communicate this directly to Schmauss; instead, he assigned this task to the bishop of Merseburg. As the pastor of Rochlitz later recounted, he was informed of the duke's decision by way of the bishop's letter.[257] Here, the bishop appears to have been an authority completely subjugated by the duke's church governance, which seems especially serious in a case where the provision for a congregation's spiritual needs was at stake. However, when Schmauss was indeed granted a one-year leave, it was Duke George who autonomously made the decision. This was out of consideration for a letter of request sent to him from the Frankish margrave Casimir von Brandenburg-Ansbach.[258] While Duke George possessed no patronage rights, he was, however, the lord of the territory; the decision about the spiritual welfare of the parish, therefore, was transferred to him by the pastor and bishop.

6 Strategies of Legitimation

The fundamental belief of traditional society in the Middle Ages was that political activity was legitimate only if it conformed to the old law. This required every innovation to be presented in the cloak of tradition. In diametric opposition to today's enthusiasm for reform, Duke George's church politics were under great pressure to be legitimized because of the many ways in which they

256 The patronage rights to the parish of Rochlitz, originally held by the Augustinian canons in Zschillen, went, by way of the Teutonic Knights, into the hands of the Thuringian bailiwick of the Teutonic Knights in Zwätzen, whereby the provincial commander received the presentation and the provost of Zschillen received the investiture. See Pfau, 174–187.—About Johann Schmauss, see ibid., 179 f. About his receiving a fief from the provincial commander Heinrich von Krauenwinkel, see the letter from Nicolaus von Uttenrode, provincial commander of the Thuringian bailiff, to Duke George, Zwätzen, July 5, 1528, loc. 7440/8, fol. 6–8.

257 "Since the most illustrious prince of God and master, lord Vincentius, bishop of Merseburg, my merciful lord, the Invocavit Sunday of 1527, as ordered by Duke George, ruled that I should not turn from my parish without your Lord's knowledge. I, as always, strictly obeyed." Letter from Johann Schmauß, priest at Rochlitz, to Duke George, June 26, 1528, ibid., fol. 2 f.

258 See ibid.

were oriented toward change and modernization. In order not to be perceived as tyranny, it was necessary to call on the old law and traditional patterns of political action wherever possible.[259] As a result, a number of approaches to legitimization can be found in sources about the duke that often precisely match the specific context of the argument.

A close look at the legitimization of the duke's church governance reveals that there was a variety of justifications given here as well. It is notable that the prince's reason for intervening was particularly explained. The salvation of the subjects, the avoidance of public annoyances, the protection of business against economic disadvantages, and later the fight against Lutheran heresy were all expressly named as motivations for the prince's exertion of influence. However, it was much less frequent that a reason was given as to why the duke saw himself entitled to act. The theory of emergency law that was prominent in the reform discussion was of little consequence to Duke George, even after the failure of the clergy made subsidiary intervention by secular power a necessity. Undoubtedly, he preferred to work with the bishops rather than to publicly deride them. The reasoning that the lower clergy was part of the society of territorial subjects did indeed have greater significance, but it only opened up the secular aspects of clerical life to ducal influence. How could the heart of Duke George's church governance—the omnipresent interventions into the employment, the system of prebends, the supervision and the reform of the lower clergy—be legitimized?

6.1 *"Territorial Sovereign and Supreme Collator": Extending Territorial Sovereignty to the Clergy*

Earlier research tried to answer the foregoing question with reference to patronage, the ecclesiastical legal institution that described the powers of the laity through the benefices it endowed. These considerations were founded on the observations that some princes in the late Middle Ages systematically sought and acquired a great many patronages. This was significant because the princes did not feel bound to abide closely to the tight restrictions of lay influence that were set by canon law. Instead, cloaked in patronage, they revived many legal entitlements from the old system of private churches, which was only superficially dismissed during the investiture dispute.[260] It was the capability of the development of patronage that was of importance for

259 About the problem of legitimizing ducal interventions and reforms, see Hashagen, *Staat und Kirche*, 431–480; Wolgast, "Reform"; Janssen, "Gute Ordnung," 162–168. About the term "traditional rule," see Weber, *Wirtschaft und Gesellschaft*, 130–140.

260 See Hashagen, *Staat und Kirche*, 454–469, and see ch. 3, section 4.

the expansion of princely rule. Justus Hashagen describes the creation of princely church governance as a process in which established legal institutions that were "capable of developing" patronage for the lower clergy and the bailiwick for monasteries were "modified for the purposes of the emergent state church […]."[261] As a result, the scope of patronage was broadened and eventually considered to be a part of territorial government. Ultimately, individual rights of princely governance with regard to the church were transformed "from inside to outside"[262] into a general church governance.

Hashagen's theory has been widely acknowledged, for instance, by Helmut Rankl in his study about Bavaria;[263] however, its transfer to Duke George's church governance presents difficulties because the theory was based on the prince being able to accumulate the majority of patronages within his territory, and the situation in Saxony was fundamentally different. Duke George held less than 10 percent of the patronages. Furthermore, it was characteristic of George's church politics that he meddled in the affairs of the lower clergy, where he had no patronage rights. It was actually his activities outside of patronage that required legitimization.

Since in most cases Duke George did not possess the patronage, one must ask what other kinds of rights a secular ruler could employ in order to exert control over the lower clergy. A close look at the language in the sources may provide some clues. It is of interest that benefices are often referred to as "ecclesiastical fiefs" in the duke's files. Such was the title of a register volume from the Albertine chancery in which the presentations of ducal patronage prebends were entered: "Book of Presentations on Ecclesiastical Fiefs" (*Buch der presentation geistlicher lehen*).[264] Additionally, in George's outline for the list of grievances for the 1521 Diet of Worms, there is mention of violations by Roman prebend collectors on "fiefs that are just rights of patronage" (*lehn, so mere iuris patronatus sein*).[265] The verbs "loan" (*leihen*) and "to lend" (*verleihen*) are used for the act of providing a priest with a prebend.[266] Consequently, the

261 Hashagen, *Staat und Kirche*, 455f.

262 Ibid., 456.

263 See Rankl, 270.

264 Loc. 7437/6, "Ein Buch der Präsentation geistlicher Lehen," 1405–1538.—An identical use of language is found in the title of a comparable book from Bavaria, "Register über die geistlichen Lehen, dereen die Herzöge aus Bayern Patrone und Landesherren sind" from the second quarter of the sixteenth century, see Rankl, 229 f. For examples from Württemberg and the Kurpfalz, see Stievermann, *Landesherrschaft*, 152.

265 Duke George's complaints against the clergy at the Diet of Worms [early February 1521], ABKG, Vol. 1, 150–153 (also in: RTA, JR, Vol. 2, 662–666).

266 See also Hinschius, Vol. 2, 633 f.; Künstle, 47–51.

duke's chancery named those patrons capable of awarding benefices "feudal lords" (*lehensherrn*).[267] However, this terminology was not only used by the duke, but also by the lower clergy, for example the Leipzig vicar Christoph Überacker, who requested of Duke George "the fief in the hospital in Delitzsch, which I received from your princely grace" to "graciously lend to" his assistant.[268] This terminology was neither new nor was it confined to Saxony. In high German, prebends were called "ecclesiastical fiefs" (*geistliche lehen*) or "church fiefs"(*kirchlehen*),[269] although in the context of an intense polemic, Rainald von Dassel had already translated "benefice" to "fief" in 1157.[270]

The terminology of that period suggests that for many contemporaries, the categories of secular feudal law were still applicable (or once again applicable) when contemplating benefices, their owners, and their patrons.[271] For many patrons in the nobility, the legal concepts of private churches in the Middle Ages were still considered to be relevant even after the investiture controversy. This was especially so for the rights that feudal lords claimed to have over "ecclesiastical fiefs," summarized by Ulrich Stutz with the term *"Kirchenlehnsherrlichkeit."*[272]

However broadly the analogous versions of secular fief and clerical prebend were used, it is particularly interesting to see how casually they were mentioned in contemporary legal texts. In 1406 a verdict from the high court in Leipzig mentioned that Veit von Schőnburg had purchased the lordship of Hartenstein, "with all of its assets, including all men and fiefs, whether clerical or secular."[273] In a fief certificate from 1501, Duke George named the

267 Duke George's letter to Hans von Weissenbach, May 31, 1503, cop. 108, fol. 286r.

268 Christoph Überacker's petition to Duke George, Leipzig, August [1521], loc. 8987/38, fol. 5r.

269 The term "church fief" was used in Southern Germany. See Hinschius, Vol. 2, 634; Plöchl, Vol. 2, 418. About terminology in Franken, see Neumaier, 5–37; Ulbrich, 80 f. In Bavaria, feudal terms were used by the clergy itself, as is shown by a text from the diocese clergy in Freising to its bishop in 1487 in which the pastors refer to Duke Albrecht IV of Bavaria-Munich as their feudal lord. See Rankl, 269, about terminology of the ducal chancery, ibid., 228–250.

270 See Keller, 214.

271 See also Künstle, 47–51; Hinschius, Vol. 2, 633 f.—Helmust Neumaier presents a somewhat different but similarly instructive example with the priestly oath in the pre-Reformation earldom of Hohenlohe. See Neumaier, 17–24.

272 See ch. 3, section 4.

273 Kisch, no. 513.—After the Reformation, the district record books (*Amtserbbücher*) initiated under Elector Moritz still continued to separate liens (fiefs) as either ecclesiastical or secular. See Kötzschke.

deserted village of Breitenau along with its church fief and the fief to a chapel in the parish church in Dohna.[274] As before, the feudal legal practice of the late Middle Ages dealt with prebends—especially regarding their associated assets—as secular ownership titles, that could be loaned, divided, sold, or pawned and ruled over under secular jurisdiction.[275] Here, as Paul Hinschius' comments, "the tendency in the Middle Ages was to make all possible relationships feudal."[276]

That these legal concepts were also widespread within the Albertine administration was because a majority of the protagonists of ducal church politics—court advisors and leading officials—were from the gentry. They had no training in canon law, but were familiar with the day-to-day dealings of secular lending law according to the Survey of Saxon Law (*Sachsenspiegel*).[277]

Recent research has rediscovered the potential of the feudal system as a cornerstone for the Early Modern territorial state.[278] Joachim Schneider was able to show how the Wettins used feudal ties to create a class of privileged gentry (the so-called *Schriftsassen*) in order to solidify their territorial rule toward the end of the Middle Ages.[279] Duke George also relied on the feudal system in his expansion of Saxon rule in Frisia. According to his plan (which ultimately failed due to Frisian resistance), the Frisian aristocracy should have assigned their assets to the duke in order to borrow them back from him.[280] Unlike in Frisia, efforts by the Wettins to territorialize the feudal system in Saxony were successful. In 1500, the Wettins were the unchallenged supreme feudal lords in

274 Duke George's benefice certificate for Rudolf von Bünau at Weesenstein, Dresden, April 20, 1501, O. U., no. 9406c.

275 See Hinschius, Vol. 2, 633 f.; Plöchl, Vol. 2, 417–419; Hashagen, *Staat und Kirche*, 458–461.

276 Hinschius, Vol. 2, 634.

277 See ch. 5, section 2.—The concept of secular law was transferred to the benefice in analogy. This is because normative statements about prebends or "ecclesiastical fiefs" were not held by either the Sachsenspiegel with its annotations nor contemporary laws such as the sentences of the Leipzig Aldermen of 1523/24. See Eckhardt; Kisch.

278 See Diestelkamp, "Lehnrecht"; Spiess; Schneider, 181–208; Schubert, "Fürstliche Herrschaft," 71 f.

279 The Wettins' goal of feudal rule over the entire gentry in the territory was reached through the generous interpretation of their own lending rights and the rejection of such rights for outsiders. See Schneider, 181–208.

280 The Frisian nobility rejected the feudalization initiative, but were instead willing to pay a substantial tax—the 21st part of property income—a reference to the actual value attributed to a feudal relationship. See Diestelkamp, "Lehnrecht,"79 f.; Bauer, 65.

their homelands.[281] This meant a standardization of legal relationships advantageous to the duke.

The emphasis on supreme feudal rule and the old lending-law concept of lower clergy prebends proved to be extremely potent indicators of further development of church governance. Leading the way was an expansion of feudal rule over benefices. Since prebends were "ecclesiastical fiefs," perhaps the duke ought to be overlord. If this were to be the case, it would present new possibilities for the legitimization of ducal influence on patrons and holders of prebends. For Duke George, this was explicitly formulated in the 1523 self-description quoted earlier: "territorial lord and supreme collator."

However, it is not immediately clear what the label "supreme collator" (*oberster Kollator*) meant. Within the framework of canon law, *collatio* stood for the ecclesiastical act of conferring an office, and a collator was the cleric who introduced a candidate into his religious office after presentation by a patron. However, pre-Reformation sources indicate that there was a terminological shift to identify the collator as the patron. A Hohenlohe priestly oath of 1484 spoke of "*Collatio seu ius praesentandi*." Somewhat similarly, Duke George described his legal title concerning the parish of Dohna as "*collation seu jus patronandi*."[282] Here, "collator" was the term for the person who chose the candidate for the office—meaning the patron—or, in the language of feudal law, the feudal lord of a prebend.[283]

Consequently, Duke George's claimed legal title of supreme collator actually referred to a secular lord who was supreme patron of all benefices in his territory. The analogy to secular feudal law in which the duke—like the emperor in the empire—emerged as supreme feudal lord in his territory, was created through the various uses of the terms "fief" (*lehn*) or "lend" (*verleyhen*). However, as with secular fiefs, Duke George also wanted to be "supreme collator" over all "ecclesiastical fiefs" in his territory. The use of the term "collator" instead of "feudal lord" in the source might be explained by the fact that this

281 See Schneider, 181–208. The Wettins followed the same politics with regard to weaker neighboring dynasties, and in the fifteenth century they were able to establish feudal rule over the Count of Mansfeld's mining fief, which, until then, had been under imperial control. See Eibl, "Friedrich," 38.

282 Neumaier, 8; Duke George's letter to the archdeacon of Nisan, Dresden, July 8, 1513, CDS, II, Vol. 12, 603, n.

283 This definition of the term "Kollator"/"Kollatur" (collator) was in common use throughout the fifteenth century and is also used in research literature. See e.g. Bünz, *Der niedere Klerus*; Meyer, Kollatur; Ulbrich; Willich.

letter to Bishop Johann VII was meant as a draft for a supplication to the Pope. Therefore, it would have seemed advisable to choose a Latin term.

Claiming to be the supreme collator in his principality placed Duke George on a completely new footing for the legitimacy of his church governance. By stressing his feudal lordship over all "ecclesiastical fiefs," he worked around the problem of not having the patronage rights in hand. His far-reaching demand to be able to depose members of the secular clergy would have burst the framework of patronage anyway. As opposed to the way the accumulation of patronage was described above, in Duke George's case, the process for extending church governance ran in the reverse direction. Instead of gathering local patronage rights and developing a general claim from them (along the lines of Hashagen's "from inside to outside" approach), Duke George decided to go the opposite way. He took support from a very general right, namely, his secular territorial rule,[284] which included the element of feudal lordship. He then tied these to the legal tradition of private churches, which saw benefices as "ecclesiastical fiefs." Both of these fused into "supreme collator" to become a new legal position—a territorial lord ruling over the entire lower clergy—thus establishing a new level of princely church governance.

The fact that this was completely against the spirit of canon law apparently did not trouble Duke George. Furthermore, his request to the pope was not oriented toward ecclesiastical permission for his declared right to be a supreme collator. Instead, it was directed toward intensifying his powers to impose penalties as derived under the banner of combating the Reformation. Although Duke George failed to receive papal allowance, his church politics during the Reformation were a practical application of the concept of supreme collator. Apparently, the duke's claim was accepted by the gentry as well as the lower clergy in Saxony. Thus, Duke George was in a position to block prebend income to members of the clergy even outside his patronage. This entitlement would also explain his intervention in patronage disputes and the reform of the prebend system, which were even accepted by the bishops.[285] George's revolutionary goal of 1523—to single-handedly remove Lutheran secular clerics, regardless of patronage or religious authority—was attainable in practice.

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284 This was already stated by Justus Hashagen. See Hashagen, *Staat und Kirche*, 441–450, 462–465.

285 See above, section 1.—The following formulation in a passage by Johann VII of Meissen on the reform of the ecclesiastical fief in Radeberg is a clear reference to the feudal lord Duke George, "because and for the reason that your grace is the highest [patron] and the city council is also patron for several fiefs there." Letter from Bishop Johann VII of Meissen to Duke George, Stolpen, July 12, 1524, loc. 7440/7, fol. 37.

His approach to the 1534 question of a family inheritance in Treffurt was a case in point.[286] George justified his actions in the Treffurt proceedings with the simple phrase "the villages lay within the realm of our principality,"[287] drawing legitimacy directly from his territorial rule.

This point of view was also informing reports of the early 1530s, which were sent to Dresden from officials and low-level authorities. In reaction to the 1531 Grimma Decree, an agreement between the Wettin family lines, Duke George called for reports of so-called "co-mingled" ecclesiastical fiefs. These were prebends located in one part of the Wettin territories, but whose patrons were situated on the other side of the border. The answers received from local nobility and officials concurred with the duke's understanding of the rights involved: as with normal secular fiefs, all ecclesiastical fiefs (whether altar or parish prebends) reverted back to the respective prince as supreme feudal lord.[288]

The close relationship of ecclesiastical fiefs to the secular system comes to light quite astonishingly in the case of the Albertine vassal Dietrich von Meckau at Limbach. This time, it was certainly to Duke George's disadvantage. In response to George's order, Meckau reported as follows in 1531: "Awarded by my most honorable and gracious lord, the Elector, I hold a church fief located in the village of Niederfrohna, even though none of the parishioners belonging to this church are at home in or residing within his princely grace's lands."[289] Therefore, Meckau was bestowed a fief by the (Lutheran) Ernestine Elector for a parish located in Albertine territory, administered by a pastor to whom he referred as "my fief-priest in Niederfrohna."[290]

The situation became volatile in 1533, when a Lutheran visitation commission acting on behalf of the Elector of Saxony dismissed the priest as a believer of the old church and chose an evangelical successor. Meckau himself stood firmly on the side of the old church. He had had Duke George's anti-Lutheran religious mandate published in his manorial district, "especially the passage

286 See ch. 19.

287 Duke George's letter to Friedrich von Witzleben, bailiff of Langensalza and Thamsbrück, Dresden, December 23, 1534, loc. 8200/9, fol. 22.

288 The bailiff of Herbsleben in Thuringia responded that he had, according to George's order, "in the administration of my office" researched "priests or other clerical fiefs located in the […] principality of my gracious lord Sir Johann Friedrich that also border on the fiefs of your princely grace." Letter from Philipp von Reibisch, bailiff of Herbsleben, to Duke George, Herbsleben, February 9, 1534, loc. 7447/3, fol. 3.

289 Letter from Dietrich von Meckau at Limbach to Duke George, Limbach, August 21, 1531, loc. 8378/2, fol. 2.

290 Petition by Dietrich von Meckau at Limbach to Duke George, Limbach, January 7, 1534, ibid., fol. 7–9.

stating that no one should endorse any new teachings before the decision of a Christian council."[291] However, while he himself had patronage rights (albeit by feudal lien) and also canon law for reference—all of which spoke against the evangelical candidate[292]—Meckau saw himself hampered by the feudal system with little room to maneuver, "because it is a lien from the Elector." Nearly desperate, he reported in his request to Duke George that he would be forced by the Ernestine visitators to dismiss the priest who believed in the old church and to replace him with the evangelical candidate. Because George also accepted the claims of the Ernestines regarding the priest, Meckau and the village community were reduced to practicing passive resistance against the Lutheran priest. They boycotted his church services, and celebrated masses with the expelled Roman priest at the branch church in Mittelfrohna.[293]

Duke George's claim to act as the "supreme collator" of the lower clergy in his principality was an essential component of his church governance. This seems to have been generally accepted in the early sixteenth century, and its legal basis was recognized by both sides in the incipient denominational dispute. Exactly when this legal title—which also applied to feudal lordship—was claimed by territorial rulers remains unclear. It is possible that Duke Wilhelm III, the great pioneer in the area of church governance, was already thinking along these lines. In any case, in the Thuringian law code of 1446, one finds the assertion that, independent of any patronage, the blocking of worldly goods or income would have been available to the territorial ruler as a form of punishment against the lower clergy.[294] It was Duke George, however, who first used the expression "supreme collator" as a legal title. It became useful for the legitimization of his princely church governance.

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291 Ibid., fol. 7v.

292 In the first place, as Meckau himself determined, the evangelical candidate was a former farmer who lacked any priestly ordination (see ibid. fol. 8r), and secondly, the ecclesiastical collator, who was the local Archdeacon and abbot at Chemnitz, had been circumvented. See the advisory opinion [of Albertine counselors] on the lien relationships and the parish fief in Niederfrona, ibid., fol. 11v–12r.

293 Petition by Dietrich von Meckaus at Limbach to Duke George, Limbach, January 7, 1534, ibid., fol. 7–9.

294 Here, the connection was the proceedings against the clerical jurisdiction. The provincial law prohibited priestly clerics from the support of ecclesiastical courts if they took on civil cases, and threatened the blocking of worldly goods and/or income. See the Thuringian law code of Duke Wilhelm III, Weissensee, January 9, 1446, Müller, *Reichstagstheatrum Maximilian*, Vol. 2, 86–95; see also Pallas, "Entstehung," 141; Schulze, *Fürsten*, 53–55.

6.2 *Petitions by the Subjects as a Source of Legitimation*

In his examination of church governance by Bavarian dukes, Helmut Rankl points out the phenomenon of the "requests for assistance" that were submitted to the territorial rulers. He poses the theory that such petitions were used by secular rulers to legitimize their interventions into the affairs of the church whenever they were no longer covered by princely legal titles such as the monastic bailiwick.[295] As a new legal instrument, the petition deserves special attention in the discussion about legitimizing church governance. Compared to the highly theoretical concept that church governance was born out of the gradual expansion of old legal titles, legitimization through petitions is an explanatory model easily accessible in the sources. Petitions by subjects within the Wettins' realm are verifiable from the end of the fifteenth century. Rudolf Zieschang makes reference to the first example from the period of common rule by Elector Ernst and Duke Albrecht. He sees evidence in the letters of request that the public perceived the princes to hold a superior position over the Saxon church and its bishops.[296]

During Duke George's rule, supplications were omnipresent.[297] For the duke, they were a source of information about local abuses by the church to which he could respond directly. Often, it was the churchwarden or even the entire congregation who would direct their charges against church officials to the duke.[298] Members of fraternities complained about their clerical leaders while lords of the gentry informed the duke about clerical abuses that troubled their tenants. But it was not only the laity; secular clerics and those belonging to orders also turned to the duke with their grievances.

The range of topics was broad, but often indicated the priorities that the laity had set with regard to pastoral care. The number one complaint was about inadequate masses and sacraments as well as unjustified excommunication. Disputes about financial demands and the lifestyles of clerics were equally frequent themes. The petitions were against all levels of church hierarchy from the local pastor to officials of the ecclesiastical courts and even against

295 See Rankl, 266.

296 See Zieschang, 123–125.

297 See the examples on p. 108–114 and throughout the chapter.—See also Duke George's letter to the provost of Zschillen, [Dresden] April 4, 1511, cop. 116, Fol. 117v; Duke George's letter to Bishop Adolf von Merseburg, Weissenfels, March 6, 1515, cop. 121, fol. 11v; Duke Johann the Younger's and Duke Friedrich the Younger's letter to Johann von Kanitz, provost of the Augustinian choir chapter at Petersberg, Dresden, May 13, 1521, ABKG, Vol. 1, 165–167.

298 The churchwarden or church fathers were laymen who were chosen from the congregations to watch over the church's assets and especially the church vestry. See Schröcker.

the bishop himself. Ultimately, the petitioners' hoped-for interventions were adjusted by the duke according to each conflict. The prince's exertion of influence ranged from his approval of religious power, to the exercise of pressure on religious authorities (for instance, to lift an excommunication), and all the way to direct involvement, whether as a mediating authority or through sanctions such as the blocking of goods and/or income.

The petitions played a critical role in legitimizing Duke George's church governance. Even if the prince was unable to present legal titles with which to justify exercising his influence, it went without question that the petitioners, as his subjects, were allowed to seek his protection. As territorial ruler, however, Duke George could legitimize almost any involvement in the well-being of his subjects in temporal and eternal terms. "Because they are subservient to us, we lead the poor, innocent people away from this un-Christian burden," is how he described the rationale for his intervention, when in 1509 he ordered the bishop of Meissen's official to lift the interdict over the Zschaitz congregation.[299]

His position as territorial ruler obligated him to correct unjustified decisions by religious authorities. In this respect, one must properly classify Duke George's quoted comments about the bishop of Meissen, "in such cases when we are not obligated by our princely authority, we much prefer to be left alone from this and other complaints rather than to be concerned with them."[300] To justify his interventions, George referenced the petitions of his subjects, who appealed to his duties as territorial ruler. But all this said nothing about his own intrinsic motivation.

7 A Comparison with other Territories

Taking an overview of the imperial territories, the care for the lower clergy can be seen as an indicator of the intensity of secular church governance. In almost no other area were the rights of the bishops so directly disrespected. Duke George's church politics emerged very strongly within this sphere. A direct comparison with his Ernestine cousin Friedrich the Wise is especially revealing. Friedrich usually left the interpretation of his patronage rights over

299 Duke George's letter to the judicial vicar at Stolpen, Dresden, June 5, 1509, cop. 110, fol. 158v. The village congregation was banned from church services due to unpaid debts of the local lord of the manor, a member of the Kertzsch family residing at Wunschwitz. See. loc. 8983/11, fol. 13–18.

300 Duke George's letter to Johann VI [1502] (like n. 252).

the lower clergy to his officials, and in the case of abuses within the clergy, he confined himself to notifying the ecclesiastical authorities.[301] By contrast, it was the constant interventions in hundreds of individual cases that marked the particular intensity of Duke George's church governance.

The secular princes' reform agenda was the same throughout the empire: the lower clergy's lifestyle and attention to official duties had to be improved and their economic activities restricted due to detriments to secular business. A prince's perspective was therefore always that of a layperson and ruling lord, who constantly had an eye to both the earthly well-being and eternal salvation of his subjects.[302] It has proved difficult, however, to find comparable statements in the literature about princely interventions since the practice of church politics has barely been examined. The reasons for this are obvious. It is not individual privileges or mandates that bring results, but only the laborious scrutiny of preserved correspondence. Therefore, the following comparable statements are made with significant reservations due to the inadequate state of research.

In numerous territories, such as Friedrich the Wise's Electoral Saxony and Electoral Brandenburg, the secular rulers limited their reforms to registering complaints and making charges to ecclesiastical authorities.[303] It was only fully developed church governance, such as that established in Bavaria and Jűlich-Berg, that actually implemented princely demands for reform with its own control measures and penalties. Furthermore, it was active throughout the territory, surpassing the prince's own patronage rights. The typical patterns of politics were to prosecute legal complaints about the neglect of pastoral care and dereliction of duties, to fight against concubinage, and—as a form of genuine princely punishment—to threaten to appropriate worldly goods, rights or income.[304] Duke George's church politics were marked by coordinated, interlocking princely and religious measures that were related in part to the proven practices of his Wettin forebears.[305] The secular sanctions extended from warnings by the bailiff to appropriation of worldly goods or income all the way to arrest and forced resignation. These were supplemented by

301 See Pallas, "Entstehung," 150–152; Kirn, 110, 126 f.; Ludolphy, *Friedrich*, 381.

302 See e.g. Rankl, 260–268; Redlich, *Kirchenpolitik*, Vol. 1, 110*–113*.

303 About Electoral Brandenburg, see the sceptical quotations about the level of development of princely church governance by Dietrich Kurze, quoted in: Schulze, *Fürsten*, 38 f.; See also Rudersdorf/Schindling, 35–40; Priebatsch; Hennig.

304 See Redlich, *Kirchenpolitik*, Vol. 1, 110*–113*; Rankl, 260–268.

305 Such a connecting factor might be, for example, the threat of blocking prebend income found in Duke Wilhelm III's 1446 Thuringian law code. See n. 294.

charges made to ecclesiastical judges, bringing pressure to bear upon religious superiors, as well as the initiation, accompaniment, and sometimes massive influencing of ecclesiastical trials against criminal clergymen. Typical for the period, the fight against concubinage was focused on the arrest and expulsion of women.[306]

This hybrid mixture of applying indirect influence on ecclesiastical judges and direct pressure on leading officials was a unique element of Duke George's reform of the lower clergy—and surely a recipe for success. His intensive engagement was made possible by the advantageous conditions in Saxony. The dependence of local bishops on the Wettins made it possible for Duke George to actually use their ecclesiastical authority as an instrument of his church governance. Even a bishop like Johann VI of Meissen, who strongly opposed the Albertine's claim, was unable to successfully defy the balance of power.

The dukes of Bavaria, for example, showed just how fundamentally different the situation could be in other parts of the empire. They had to push back against the authority of the largely independent imperial bishops by employing special papal privileges.[307] On the other hand, the development in Electoral Brandenburg indicates that a territorial rule over local bishops alone was no guarantee of strong church governance over the lower clergy.[308] The comparison makes clear the significant influence that regional characteristics had on specific configurations of princely church politics.[309]

Through the integration of secular and episcopal authority under the leadership of territorial rulers, Duke George was able to substantially circumvent the barriers to princely intervention set up by canon law. This is also why the failed attempt to win approval from Rome was of little consequence. Even without papal privileges he could still accomplish his far-reaching demands, as was done in Bavaria in 1523.[310]

However, the princely claim to power over the lower clergy was not limited to the area of reform; it also made itself known regarding the secular side of the

306 See Redlich, *Kirchenpolitik*, Vol. 1, 110*–112*; Rankl, 268; Zimmermann, 117 (an example of a municipal authority, the re-Catholicized city council of Constance after 1547).

307 See Rankl, 235.

308 See n. 303.

309 A comparative study would probably prove this to be true for most territories. Some examples are the provincial deans as mid-level ecclesiastical authorities with their send courts in Jűlich-Berg, or, for Bavaria, the possibilities for intervention by the prince through the territorial court's "right of possession," which meant the right to introduce a cleric to the income of his benefice which was otherwise acknowledged as part of the rights of a patron. See Redlich, *Kirchenpolitik*, Vol. 1, 113*–118*; Rankl, 251–254.

310 See above, section 2.

clergy's livelihood. This is where Duke George presented himself to the lower clergy as a territorial ruler demanding their obedience and pushing for their integration into the society of his subjects. This can be seen as a partial process of integrating the church itself into the territory. The rise of the early modern territorial state precipitated an urge for the leveling of institutions. Despite their special role as priests, the secular clergy was not meant to exist outside of secular society and thus beyond the control of territorial rule.

The immunity privileges of the clerical state, which stood in opposition to this rearrangement, were not attacked directly. They were, nonetheless, effectively eviscerated through a gradual process of integration. The elements of this integration were claiming jurisdiction over the clergy in secular matters, imposing personal taxes, and applying secular laws to their legal affairs, as in the case of prohibiting usury. The treatment of the secular clergy as subjects and the clergy's acceptance of this demand created behavioral norms that effectively overruled canon law. To what degree this perception was anchored in people's minds is indicated by, for example, the distinction (based on territorial borders) between "indigenous" clergy and "foreign" ecclesiastical courts, against which the clerics as subjects were able to claim *Privilegium de non evocandis subditis*. Similar procedures are documented not only for other territories, but also for municipal authorities.[311]

Coordinated in this way, the territorial control under Duke George occupied a number of governing rights that were actually intended for the bishop's religious supervision and disciplinary power. Fundamentally, however, Duke George claimed the right to act based on "princely power, force and authority."[312] It was not a takeover of episcopal rights, which could hardly have been justified; instead, it was an independent claim of lordship and territorial rule. This led to situations of direct competition with the bishops, such as when Duke George guaranteed the lower clergy their testamentary freedom, or when Johann VI von Meissen attempted to employ the bishop's right to claim spoils from the bequests of the lower clergy. The conflicts were even more serious in those areas of the empire where the bishops still were independent princes themselves.[313] Furthermore, Duke George also claimed the right to certify ecclesiastical benefices. At the same time—unlike the Bavarian dukes—he

311 About taxing the lower clergy, see Albrecht, 703; Redlich, *Kirchenpolitik*, Vol. 1, 104*–110*; Ulbrich, 74 f., 83. About secular jurisdiction over the clergy, see Albrecht, 703 f.; Hofmeister, 259; Redlich, *Kirchenpolitik*, Vol. 1, 54*–88*; Ulbrich, 83. About municipal authorities, see the literature in n. 192.

312 George's benefice certificate, 1509 (like n. 229).

313 One example for this is the Frankish cleric tax dispute. See p. 55.

passed on the responsibility for the livelihoods of unprovided-for clerics to religious authorities.[314]

The constant intrusions of the duke into the areas of episcopal duties were not without consequences for the relationship between the lower clergy and the church hierarchy. The secular clergy had to deal with a new situation in which the duke took up not only secular issues, but also supervision of religious affairs as a second authority beside the bishop. He exercised discipline, but could also be of service to the clergy. When the competition between the prince and the bishop turned into open conflict, the lower clergy was often faced with the dilemma that both sides demanded loyalty. When in doubt, the lower clergy in Saxony would favor the duke.[315] Therefore, it was fitting that the "episcopal" functions of the prince gained broad acceptance by the lower clergy and even from Saxon bishops—and sometimes were even initiated by ecclesiastical authorities.

Princely church governance had the potential to shift the balance of power between the clergy and the bishop and thereby cause a long-term disturbance in the church's structures of command and communication. In Saxony, however, specific situations of just this kind were marked by substantial collaboration between the duke and the provincial bishops. Because Duke George found a working plane upon which he could dominate and also cooperate with most of the bishops during his era, in practice he assumed a double responsibility for secular and episcopal authority. This led to an intensification of supervision over the lower clergy. It was impressively illustrated by the efficient cooperation on both sides in the fight against the evangelical movement. Although directed against the Reformation, it can be seen as proof of the strength of Wettin church governance.[316]

In order to justify this new level of secular control to a traditional public, Duke George used a combination of titular rights, fictional rights and patterns of argumentation. First, it is remarkable that the prince often explained the practical necessity of his actions while trying to slip around the potential weak point in his argument, the question of justification for *his* interventions. Secondly, it is noteworthy that it was only in exceptional cases that Duke George called on the popular notion of the failure of religious authority, which literally forced the princes to step in as "emergency bishops;" rather, he cooperated with the bishops, instead of portraying them as enemies.

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314 See Rankl, 261.

315 See Rankl, 269; Koller, 178–181, who estimate that the loyalty of the lower clergy to the duke surpassed the claims of the bishops.

316 See ch. 19.

Another central pattern of legitimization was that a feudal lord could claim authority over the secular clergy by interpreting their benefices as "ecclesiastical fiefs." This concept was probably first explicitly formulated in Saxony with Duke George's self-given title of "supreme collator." The foundation for this hybrid legal title, which melded ecclesiastical patronage and secular lending rights, was taken from the system of private churches, which equated benefices and secular fiefs. As feudal lord, the ruler laid claim to both of these for the territory.

Ultimately, the prince's rights of authority over the lower clergy within the territory were ascribed directly to secular rule. Undoubtedly, it was to favorable effect that the legal principles of the high medieval system of private churches were well-known in many areas. Recently, Tobias Ulbrich has verified similar legal concepts held by the margrave of Brandenburg-Ansbach in 1500.[317] Ulrich Stutz had already described this process from a legal history perspective.[318] Dieter Stievermann also speaks of the "territorial state practice" of the benefice system "being in parallel with the legal relationships within the secular realm."[319]

Duke George found a second crucial source of legitimacy in the petitions of his subjects. They provided justification for interventions nearly everywhere because they directed the argumentation to a different legal plane. Even if the prince could not verify his right to exert influence over the clergy, it was still absolutely unquestionable that it was his task to provide protection for his subjects. As a Christian prince, Duke George was especially drawn to ensuring clerical discipline, as well as averting threats to the salvation of his subjects. Other territories with strong church governance, such as Bavaria, show that the pattern of responsibility for the salvation of subjects became a general theme with widespread acceptance.[320] At the same time, the petitions show the degree of expectation with which secular church governance was met by the subjects.

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317 See Ulbrich, 80f.

318 "Now, as territorial rule developed, and an expansion of state functions gradually followed, the territorial rulers took up the concept of patrons as feudal lords like other public legal components and carried it through their eminent domain into public law." (Ulrich Stutz, quoted from Feine, Vol. 1, 442). See also Hashagen, *Staat und Kirche*, 441–450, 462–465; Mikat, 293–299.

319 Stievermann, *Landesherrschaft*, 153.

320 About subjects' petitions, see Rankl, 266; about the theme of subjects' salvation, see Hashagen, *Staat und Kirche*, 444–446; Janssen, "Gute Ordnung," 165–168.

Whether acting as supreme collator or responding to petitions, Duke George did not legitimize his church governance through the expansion of canonical legal title, but rather through the secular claim to power. That is why his failure to attain papal privileges had no negative consequences. The power that Duke George applied with his church governance in hundreds of individual cases was directed toward integrating the church into the territory and therefore under the supervisory power of patriarchal princely governance. Even before the Reformation, Saxony under the Albertines covered a lot of ground with its church reform, leading from late medieval territorial rule to the Early Modern territorial state.

CHAPTER 12

The Laity

To the modern observer, it may seem paradoxical to examine an aspect of princely church politics in which neither the church nor the clergy seem to have played a role. Can we speak of church politics at all, when it was a prince who monitored the execution of his subjects' last wishes, and warned them of the consequences of drunkenness? Aren't we really speaking about state functions regarding legal interpretations and public welfare?

Pre-Reformation texts do not fit into the categories of a modern world view, which usually distinguishes between church and society. The Wettin princes spoke of, "Christian duty to adhere to God's holy commandment of our divine faith," when in 1513 they forbade the excessive consumption of alcohol.[1] Further, concern for the "the salvation of souls" was a central argument and motivation for Duke George, when in 1503 he rejected creditor's claims against the bequest of a rich widow; instead, the wealth was to be applied to a religious endowment as per the wishes of the deceased.[2] Taking the words of the source seriously, politics were informed by religious concepts even when dealing with aspects of daily life that had no connection to matters of the church or clergy. Their focus was as much on the support and regulation of religious practices as on the reform of social behavior that ran contrary to religious norms.

When Duke George addressed the subjects of piety and impiousness, he often spoke to the whole of society, from peasants to the nobility. This doesn't mean, however, that the duke was ignorant of the complexity of the feudal society organized in a hierarchy of estates.[3] The Land Law of 1498, for example, speaks of "all the people of these lands," and the wrongdoings of "many from all estates, young and old" who needed reform through a subsequent mandate.[4] The threat of punishments, however, was organized according to class, ranging from a monetary fine to the loss of a benefice. Only one group went unmentioned—the clergy. Duke George's claim to power did indeed extend to

1 See the collective mandate of Elector Friedrich, Duke Johann the Elder and Duke George against blasphemy and drunkenness, n.d. [June 15/20, 1513], Thüringisches Hauptstaatsarchiv, Weimar, Reg. Rr, 353, no. 104, fol. 3–8, here fol. 4r.

2 See n. 33.

3 See Schubert, "Gebot," 32.

4 Draft of a law for all Wettin lands [prior to July 9, 1498], Burkhardt, *Landtagsakten*, 35–40; Collective Mandate, 1513 (like n. 1), fol. 3v.

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the clergy but, despite all efforts to integrate them into the society of his subjects, they remained an independent group protected by canon law.[5] Clearly, the separation between the clergy and laity played a central role in the duke's thinking. It therefore seems suitable to regard the laity on a separate plane of princely church politics. Klaus Schreiner has also shown that a separate view of "lay piety" offers a fruitful, inquisitive approach without having to suppose that, in the practice of devotion, a dichotomic delimitation of the clergy might have existed.[6] What's more, the category of the laity takes into account that the late medieval *Praxis pietatis* made possible "communization across and away from class boundaries" but also provided room for social differentiation.[7]

Activities of the laity that had religious significance can be further differentiated by using the paired terms "piety" and "conduct of life" (*Lebensführung*). "Piety" refers to specific "forms of religious life" (Ansgar Jődicke) with which individuals or groups form their Christian identity. The terms unfold in the tense space between the internalization of the essence of Christian faith and its external manifestation through religious activities.[8] The repercussions of religious conviction upon daily life come into focus under the aspect of lifestyle. As an ethical religion, Christianity demanded that daily life as well as social interaction be oriented on religious norms.[9]

1 Promotion—Control—Criticism: Lay Piety as an Object of Church Politics

The protection of the church and the demand for piety had been considered the first duties of a ruler since the days of Emperor Constantine. In the high Middle Ages, this applied primarily to kings, but with the development of

5 See ch. 11, section 4.

6 See Schreiner, "Laienfrömmigkeit," as opposed to the problematic term "Volksfrömmigkeit" (popular piety). About the discussion on the term "Volksfrömmigkeit" from the perspective of Early Modern Period research, see the articles in the Molitor/Smolinsky anthology.

7 Schreiner, "Laienfrömmigkeit," 57–78, quote 75. About the cross-layered meaning of the practice of piety, see Volkmar, *Heiligenverehrung*, 58–64 (the example of Benno cult in Saxony), as well as ibid., n. 207, Literature list.

8 See Jödicke/Sparn, 388–390; Hamm, *Frömmigkeitstheologie*, 133. –It is noteworthy that the source term "fromm"/"fromkeyt" (pious/piety) was not yet part of religious semantics in 1500. At the close of the Middle Ages, "fromkeyt" (piety) was also used in the ethical/moral or legal sense to mean integrity, virtue and service to the community. Even Luther used "fromm" in the sense of "integrity" in his Bible. See Wunder; Seitz, 676.

9 See below, section 4.

territorial government, it grew to be a responsibility of princes.[10] At the end of the Middle Ages they were increasingly intertwined with a second motif: the call for power by the developing territorial state. At the same time, the secular princes themselves were from the world of the laity and were often among the greatest supporters of popular forms of late medieval piety, such as the cults of the saints and relics. It was therefore not the authorities who were shaping piety, but rather the personal piety of princes that informed their official actions.[11] Here, there is a fundamental distinction between the late medieval situation (and also that of the Early Modern period in Catholic territories) and the Enlightenment that created a dichotomy between (enlightened) rulers and (superstitious) folk culture. In any case, the primary characteristic of the pre-modern era was estates deeply rooted in a common, religiously shaped world view.[12]

Much space in Duke George's church politics was devoted to supporting the church and piety, whereby emphasis was placed on the religious practices of the laity. Lay religiosity expressed itself mostly within the framework of traditional religion and, despite all criticism of its condition, was actually oriented toward the church as a sacrament of salvation.[13] Political influence on lay piety can best be studied in the area of devout practices. For structural reasons, it remained confined to indirect measures such as encouraging pious literature that was shaped by popular pedagogy and humanism.[14]

Duke George's church politics developed an independent profile, which separated him from other princes in Central Germany such as Friedrich the Wise and Cardinal Albrecht of Brandenburg. Of particular note is the critical distance between Duke George's church politics and externalized forms of lay piety. The focus of Albertine church politics is, therefore, not explainable by the model of princely support for piety. One must question personal dispositions, especially in the case of a strong princely personality such as Duke George's. There are two aspects from the personality profile given above that appear to be influential.[15] One is George's personal piety, described by Otto

10 Obviously, it remained the duty of a leader of the empire such as Emperor Maximilian, which he more or less demonstrated through his actions at the imperial diet. See Angermeier, "Kirche und Reichstag," 62 f.

11 See Hartinger, 33–50.

12 See n. 7.

13 See Moeller, "Frőmmigkeit," 81 f.

14 See ch. 13, section 3.

15 See ch. 5, section 1.

Vossler as "modern" and "Erasmian."[16] It explains the Albertine's significant distance from the popular, externalized forms of devoutness that were common at the time. These included the cult of the saints, relics and pilgrimages, as well as indulgences. Among other things, George's education and early career as a clergyman left its mark, namely in his openness to reform-oriented theology and humanism.

Duke George's personal inclinations had a clear retroactive effect upon his church politics, because they made him sensitive to words of caution against popular religiosity. Traditionally, such criticism came from the educated clergy. The official church always followed lay piety with restraint and a pedagogic attitude, as the history of papal canonization shows.[17] In the reform-oriented fifteenth century, the confrontation with lay piety became the overriding theme of pastoral theology. Bernd Hamm speaks directly of a "theology of piety" (*Frömmigkeitstheologie*). Therefore, it is not just a question of whether certain relics, shrines or reports of miracles were genuine or falsified, as in the well-known controversy over the holy blood hosts of Wilsnack.[18] The criticism was also directed in general against certain pious practices such as spontaneous pilgrimages. The influential Augustinian theologian from Erfurt, Johannes von Paltz († 1510), made a distinction between *peregrinatio laudabilis* and *peregrinatio vituperabilis*.[19] Regarding the latter, he named negative examples such as the pilgrimage to Grimmenthal near Meiningen and the spectacular case of the piper of Niklashausen.[20] His criticism was turned against the passionate excitement and social disruption associated with spontaneous pilgrimages and newly created cults, "*Natura his temporibus sic disposita est, quod facile movetur in compassionem et ex hoc in periculosam passionem*."[21] Essentially, Paltz suspected that the undirected, spontaneous mass pilgrimages of the time were signs of temptation by the devil and demanded that laymen keep themselves close to their parish churches. The young Martin Luther followed the lead of Paltz, his teacher and fellow Augustinian, and was already preaching against wild pilgrimages by 1516, even before it became a topos of Reformation propaganda.[22]

16 See Vossler, 286–288.

17 See Vauchez, 61–84, 413–422; Schreiner, "Discrimen."

18 See Boockmann, "Streit"; Priebatsch, Vol. 19, 414–416; Vol. 21, 81 f.

19 See Schreiner, "Peregrinatio," 157. The texts by Paltz criticizing pilgrimages were edited by Berndt Hamm. See Paltz, Vol. 2, 385–408.

20 See also Arnold, *Niklashausen*.

21 See Hamm, *Frömmigkeitstheologie*, quote 220.

22 See Schreiner, "Peregrinatio," 157–160; Kühne, "Luthers Kritik."

Finally, humanistic criticism targeted the profusion of saint veneration at its core with the widespread works of Erasmus, "Praise of Folly" (*Encomium moriae*) and "Handbook of a Christian Soldier" (*Enchiridion militis Christiani*).[23] The significance of the *Enchiridion* was recognized in Saxony early on. According to the VD 16, the first independent publication of the "handbook" in the German language appeared on August 27, 1515 in Leipzig (the second first edition was published in the same year in Antwerp).[24] The Leipzig edition of 1515 marked an important point in the history of this text, which had first appeared within an anthology of theological tracts in 1503, but it only truly gained fame after Erasmus himself arranged for a new edition in Basel in 1518.[25]

The Leipzig imprint of 1515, however, was published by George's court chaplain, Hieronymus Emser. The text was immediately adopted by the duke's church politics, as indicated by the programmatic title that Emser gave his edition. It translates as "Little Handbook of a Christian Knight by Brother Erasmus

23 About the significance of Christian humanism to the reform discussion, see p. 38–41, 89–93.—In the "Handbook of a Christian Soldier," the criticism of saint veneration was an important theme. Erasmus criticized the self-absorption of believers in their appeal to the saints as merely interest in a quick solution to the suffering and dangers of the world. He compared the specialization of the "Holy Helpers" to the polytheism of ancient Greece. He considered the worship of relics to be idolatry, if the faithful did not also revere the life of the saint. Here Erasmus found, as Luther later did, the appropriate place for worship of the saints in Christianity: the *Imitatio*, or orientation of one's own life on the example set by a saint. Whoever really wished to honor St Francis should give up all wealth to the poor instead of just wearing the Franciscan habit. Instead of making a pilgrimage to Rome or Santiago and buying indulgences to redeem one's sins, one should follow the bidding of the *Paternoster* and forgive others their debts and trespasses. In short, Erasmus found all external forms of saint veneration at best only superficial versions of real piety. At worst, however, they were idolatry, and this was a distraction from the core of Christianity. See Desiderius Erasmus, *Enchiridion militis christiani* (1503), Welzig, Vol. 1, 56–375, here 174–181, 200–209, 364 f. About the entire program of the *Enchiridion*, see Walter; Augustijn, "Ekklesiologie," 78–84.

24 Hieronymus Emser [ed.], *Enchiridion Erasmi Roterodami Germani de milite Christiano in quo taxatis vulgi sup.*[*er*]*stitionibus ad priscae religionis puritate.*[*m*]*: veteris aeloque.*[*n*]*tiae lituo nos prouocat* [...], Leipzig: Valentin Schumann 1515 and 1516 (VD 16 E 2744, 2746); for the date of the first edition, see the impressum *"Lypsi, in aedibus Valentini Schumanns calcographi diligentissimi sexto calendas Septembris, anno M.D.XV."* (ibid., fol. M IIIv). About its place in the history of printing, see VD 16, Vol. 6, 225–230; Stupperich, 9; Welzig, Vol. 1, 11. A total of 45 editions followed in the German-speaking region during the course of the sixteenth century, of which two were further editions by Emser in 1520 and 1521. VD 16, Vol. 6, 225–230; Smolinsky, *Alveldt und Emser*, 32.

25 About the history of reception, see Stupperich.

of Rotterdam, in which he Criticizes Public Superstitions and with the Clarion Call of Classic Eloquence Harkens back to the Purity of Early Christian Piety."[26] Clearly, it was Erasmus' plea for a reform of lay piety that motivated the Saxon edition as well as three subsequent print runs up through 1521.[27]

Closely associated with the duke, Emser's edition of the "Enchiridion" referred to the pro-reform spirit of Albertine church politics. In fact, the reception of theological and humanistic criticism was characteristic of these politics along with the traditional motif of support for the church. Thereby, criticism of lay piety had a chance to move from being commonplace among the clerical elite to becoming a guideline of secular politics. The following case studies shine a light on the complex interplay of support, control and reform in George's handling of lay piety.

Duke George's support for the laity's devoutness fit into the traditional pattern of princely concern for the welfare of the church in many ways. This was also true for one of the central initiatives of his reign—the canonization of Benno of Meissen. Among other things, George provided the population of his land with its own holy helper.[28] Another characteristic of his church politics was his support of church building projects. Duke George not only personally took part in some large-scale projects such as the erection of the Annaberg parish church, he also supported the construction of village churches everywhere in his territory upon request, whether by providing building materials or through granting custom-free deliveries.[29] When in 1495 the church fathers of an East Saxon congregation asked for help with the replacement of their broken bell, the court council responded with an assignment to all three bailiffs in the area to provide assistance.[30] In Dresden, his capital city, George encouraged the new construction of the parish Church of the Holy Cross and the Three Kings Church in Altendresden and contributed organs to both churches.

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26 Emser, *Enchiridion Erasmi*, 1515 (like n. 24).

27 See n. 24. About the importance of this edition to the contact between Erasmus and Emser and Duke George see p. 423 and 577.

28 About Duke George's motives regarding the canonization of Benno, see Volkmar, *Heiligenerhebung Bennos*, 152–156.

29 The church fathers in Staucha, located in the district of Lommatzsch, received letters of consignment for customs on the Elbe River in Pirna, Dresden and Meissen. The churchwarden in Struppen near Pirna were bestowed with 69 logs from the bailiwick of Pirna for church construction. See Duke George's letter to the church fathers in Staucha [Freiberg?] November 13, 1500, cop. 106, fol. 110r; Duke George's letter to the church fathers in Struppen, November 14, 1503, cop. 109, fol. 64v.

30 See the letter from Duke George's governor to Hans von Schönberg [Bailiff in Pirna], the bailiff of Wehlen and the bailiff of Schellenberg, July 26, 1495, cop. 105, fol. 189r.

He also founded the St James hospital in 1536.[31] In 1523, he made an effort on behalf of the parish church in the mining town of Altenberg to secure a papal indulgence, and in 1525 he had his support memorialized by having his coat of arms mounted on the church.[32] The concept of supporting piety can also be traced to the area of legal practices. When made aware of a will based upon the establishment of a pious endowment to ensure the salvation of the deceased, Duke George insisted that it have priority over the servicing of creditors.[33]

However, the example of endowment activities by the laity also shows how closely the duke's support of devoutness was linked to patriarchal ideology. Saxon government in George's era was not yet a pervasive state bureaucracy, but it was characterized by a patriarchal prince, who, due to his engaged and dominant personality, nonetheless achieved a noteworthy level of intensity. This was apparent, for instance, in the monitoring of important endowments, as one can observe in the example of Apollonia von Wiedebach.[34] The daughter of the patrician Alnpeck dynasty in Freiberg had been married to two Saxon bursars, Jakob Blasbalg and Georg von Wiedebach. She was probably the wealthiest woman in Saxony when she died as a childless widow in January 1526. In a will dated June 1525, she had assets of more than 30,000 florins of which she designated 13,780 for an endowment with an annual interest income of 689 florins.[35] Among other bequests, she stipulated a position for a preacher at the two main churches in Leipzig. As this was seen as infringing on the rights of the Provost of St Thomas, the bequest was challenged, even while the donor was still alive. It was only thanks to the assertiveness of Duke George (to whom

31 See Butte, 206; Streich, *Hof*, 470–477.

32 See Duke George's letter to Bishop Johann VII of Meissen in Rome, Dresden, January 4, 1523, ABKG, Vol. 1, 421–425; Magirius, "Ausbreitung," 158.

33 This is how George instructed his bailiff in the case of Apollonia von Wiedebach, from whom a demand for money was made by a citizen from Erfurt. The executors of the will were to be urged, "to spend as much as is prudent with regard to God's honor and gentle works, and in particular it should be spent for the blessedness of her soul." Duke George's letter to the bailiff of Sachsenburg, Merseburg, March 9, 1503, cop. 108, fol. 208r. The same order was issued after the death of Cardinal Melchior of Meckau. See Duke George's letter to the cathedral chapter of Meissen, Dresden, April 29, 1509, cop. 110, fol. 133r.

34 See the will of Apollonia von Wiedebach, Leipzig, June 22, 1525, CDS, II, Vol. 10, 87 f.; see also Geffcken/Tykocinski, 46–50; Wustmann, *Geschichte*, Vol. 1, 411–415. There is a lack of evidence for Gustav Wustmann's interpretation that the endowment of a preacher should be interpreted as a hidden evangelical attitude. See also p. 555 f.

35 About the combined total of the legation, see CDS, II, Vol. 10, 87 f.; about the amount of the benefice, see Wustmann, *Geschichte*, Vol. 1, 411 f., differing somewhat (694 fl. yearly interest) Geffcken/Tykocinski, 48.

the widow Wiedebach had wisely donated a considerable bequest of 3,000 florins) that the preacher's position was actually established.[36]

Duke George also kept an eye on the management of the Wiedebach endowment during the following years. The many contributions benefitting Christian culture and the welfare of Leipzig's poor were reasons enough for the territorial ruler to take an interest. Further, in 1533, he gave an admonishing reminder for the payment of a yearly fee to the Leipzig city pipers, who "on Thursdays, before the holy sacrament" musically accompanied the celebration of mass. The initially uncooperative executors of the will agreed "to execute the endowment in compliance with your princely grace's wishes."[37] George's influence over the content of wills is underscored by the case of Annaberg councilman Lorenz Pflock, in which an altar benefice was changed into the endowment of a preacher.[38] However, Duke George never asserted a general responsibility for monitoring endowments in his territory.[39]

As the example of Langensalza's Feast of Corpus Christi shows, it was possible to merge the encouragement of piety with the regulation of pious practices. According to Duke George, he had been responsible for the introduction of Corpus Christi processions in several cities within his territory.[40] He oversaw their execution, "because in this celebratory procession, which we are always inclined to support, they seek the almighty God's praise and honor."[41] Research in cultural anthropology alludes to the social functions of such processions, particularly with regard to the Feast of Corpus Christi. According to this interpretation, the unity and social order of the medieval community found its symbolic visualization in the gathering of all social classes behind the body of Christ.[42]

However, it was exactly this unity that was very difficult to establish in Langensalza. In 1508/09, Duke George needed several attempts to mediate

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36 See p. 555 f.

37 The Leipzig Council's letter to Duke George, Leipzig, March 6, 1533, loc. 10534/9, fol.42.

38 See below, section 2.

39 See p. 331 f.—For Leipzig alone, during Duke George's period of rule from 1488–1539 there were at least 76 newly established endowments. This counts only those charities that were still active in 1905. See Geffcken/Tykocinski, 15–61. However, an intercession by Duke George is only known of for the single case of Apollonia von Wiedebach.

40 George addresses the people of Langensalza about the "procession that we have instituted in your city and in other cities of ours." Duke George's letter to the mayor and the three councils of Langensalza, Dresden, April 16, 1509, cop. 112, fol. 59r.

41 Duke George's letter to the Erfurt keeper of the seals, Dresden, March 29, 1509, cop. 112, fol. 79.

42 See Rubin.

the hierarchical disputes among the various groups in the congregation. They argued over their rank in the procession, thereby indicating exactly how important the procession was as a symbol of the city's social order. After several attempts by the duke, the disagreement between the abbess of the St Boniface convent and the parish of the convent church was resolved.[43] Then, a second precedent-setting dispute erupted in which the provost and members of the St Boniface parish stood in opposition to the chapter of the St Stephan collegiate church. In harsh letters to both the quarreling parties, George rebuked the stubbornness with which they were endangering the procession and the praise of God. Finally, he made a ruling as to how the procession would proceed that was to be followed under threat of secular punishment.[44] Considering the heavy conflict in the seat of Thuringia's administration, he even went a step further. With a letter to the keeper of seals in Erfurt, he tried to harness the religious authority in service to his arbitration:

> Because this praiseworthy work touches on spirituality, and we are a secular prince who alone is not responsible for such things, it is therefore our good wish that you will be the one, as he who is responsible for religious enforcement in this area, through your open mandate and by threat of punishment by excommunication, to ensure that our order, now and in the future, will be consistently followed and fulfilled by both sides. This mandate should be given to the same messenger who we have ordered to deliver it to Langensalza […].[45]

Duke George was actually well aware that an autonomous intrusion by secular power into the religious sphere of pious practices was well beyond his authority. All the same, he was not prepared to negotiate over his demands for order within his territory. He did concede, however, a role of legitimizing ducal decisions with their blessings to the ecclesiastical institutions.

The example of St Mary's pilgrimage to the Pear Tree near Rőtha shows paradigmatically that Duke George was accustomed to seeing himself as the

43 See Duke George's letter to the people of the parish, the provost and priest of St Boniface at Langensalza, December 29, 1508, cop. 112, fol. 23v–24r; Duke George's letter to the mayor and the three councilors of Langensalza, Dresden, April 16, 1509, ibid., fol. 59r.

44 See Duke George's letters to the people of the parish and the provost of St Boniface at Langensalza as well as to the dean and chapter of the Church of St Stephan in Langensalza, Dresden, July 29, 1509, ibid., fol. 78r–79r.

45 Duke George's letter to the keeper of the seals in Erfurt, Dresden, March 29, 1509, ibid., fol. 79.

responsible authority in conflicts about pious practices just as he was in secular disputes. The pilgrimage to the Sanctuary near Leipzig began in 1502 following the pious tradition of a vision of St Mary that had been witnessed by a shepherd resting under a pear tree.[46] The spontaneously emerging "concourse and confluence to the mother of God at Rőtha"[47] soon became a challenge to official regulation. The local authorities reacted first; the Nunnery of St George near Leipzig, which owned the patronage rights in Rőtha, had a chapel built. The contributions that arrived, intended for church construction, were administered by a pastor from Rőtha chosen by the convent. He shared some of the income with the local judge, Wolf Pflug, who was probably responsible for protecting the pilgrimage. However, a disagreement arose with the Bishop of Merseburg, whose administrative powers included the supervision of cults and chapels. Subsequently, Bishop Thilo insisted on a cut of the alms and did not hesitate to use religious coercion to lend weight to his demands. When he excommunicated Pflug and others (the pastor?) and placed a prohibition on the chapel, the judge brought the dispute before the duke in 1509.[48]

Mirroring secular governing practices, Duke George initiated arbitration. After first considering holding hearings with each of the conflicting parties in person during Leipzig's Michaelmas fair, he summoned a commission that included both a secular and a religious advisor.[49] The choice of arbitration and the participation of clergymen had the goal of making the duke's involvement acceptable to the bishop and, if possible, to solve the controversy with a consensus. Acting as a neutral party without pecuniary interests, the prince's reason for intervening was, "that such problems be resolved and that the visits to the mother of God, in her honor and praise, are not hindered."[50] Even before the resolution of the conflict, George made a bid to the bishop to lift the interdict and the excommunication[51] so that the pilgrimage and the already endowed anniversaries would not be impeded by the conflict. With this demand, however, George cast doubt on the bishop's authority.

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46 See Clemen, "Wallfahrtsorte."

47 Duke George's letter to Hans von Werthern, bailiff of Weissenfels, Leipzig, September 28, 1509, cop. 110, fol. 239v, partially edited: Clemen, "Wallfahrtsorte," 190, n. 6.

48 See Duke George's letter to Bishop Thilo of Merseburg, Schellenberg, September 14, 1509, cop. 111, fol. 17r-v.

49 The mediator roles were filled by the experienced advisor Hans von Werthern, who at the time was bailiff of Weissenfels, and Abbot Balthasar of Pforte. See George's letter to Werthern, 1509 (like n. 47).

50 Ibid.

51 See Duke George's letter to Bishop Thilo, 1509 (like n. 48).

But Duke George did not rely on the parties' willingness to compromise. Instead, he turned to canon law for legal clarity. The respected canon lawyer from Erfurt, Dr. Henning Gőde, was commissioned to write a report.[52] He was to present an expert opinion regarding canon law regulations for the distribution of offerings as well as the rights of the bishop to forbid celebration of mass in the chapel.[53] The report was meant for the mediator, Hans von Werthern, which once again indicates how substantially George depended on secular counselors regarding church politics. Gőde's expert opinion has not actually been handed down; however, a quick look toward Thuringia reveals that in 1498, Gőde had already created a report for a very similar case regarding income from the Grimmenthal pilgrimage. There as well, the local bishop—this time from Würzburg—demanded a third of the revenue. Having been asked for his opinion by Count Wilhelm von Henneberg, Gőde rejected the demand and argued that according to canon law, the contributions should go to the local priest. Together with the patron, the priest was to administer the funds for construction projects and other pious purposes.[54] In the Rőtha case, the bishop's wishes were also likely rejected by Gőde. In any case, it is certain that Duke George's influence brought about a rapid stabilization.[55] In the following year, the construction of a pilgrimage church was begun.[56]

It is well worth looking a bit more closely at George's request to Gőde. The list of questions that the prince sent to the lawyer provides documentation for how the secular ruler's horizon was in no way confined to the regulation of practical, secular aspects. Unlike the generalized demand for piety, which most secular authorities of the times understood as their duty to impose, Duke George's supervisory demands also included a critical view of the specific characteristics of *Praxis Pietatis*. This is made clear in his inquiry of Gőde: "How should the pilgrimage be examined, as a reasonable project of good faith that has arisen from a godly spirit, or not[?] And, under what conditions should the pilgrimage be either challenged or approbated[?]"[57]

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52 See p. 105 with n. 126.

53 See Duke George's letter to Dr. Henning Göde, Leipzig, September 30, 1509, cop. 111, fol. 18r.

54 See Mötsch, 10 f., 85 f.

55 In May 1510 Duke George confirmed a second arbitration between the bishop and Wolf Pflug that was organized by Cäsar Pflug, judge at the Leipzig princely court. See Duke George's letter to Bishop Thilo of Merseburg and Wolf Pflug at Rötha, Dresden, May 6, 1510, cop. 111, fol. 20v; cop. 116, fol. 33v.

56 About the start of construction, see Clemen, "Wallfahrtsorte," 190 f. as well as the new findings in the master's thesis of Antje Gornig. See Gornig.

57 See George's letter to Göde, 1509 (like n. 53).

In Duke George's eyes, it could not be taken for granted at the outset that the new pilgrimage was an activity worthy of support. Standing at a critical distance from popular belief in wonders, he did not actually question the wonders themselves, but rather their origins. George as layman shows himself here to be familiar with the theological doctrine put forth by Augustine. He believed that the devil could make miracles and cults appear to be holy in order to lead the unsuspecting and gullible to false idolatry (which was an accusation Luther later leveled against the Benno cult).[58] Therefore, he requested a guideline to the *discretio spirituum* from Gőde in order to "discern the spirits."[59]

At this point, George was taking on another bishopric task: the theological evaluation of Rőtha's pilgrimage. This meant deciding upon the religious value of a popular cult and determining its support or suppression by the church. The reform-oriented duke revealed an awareness of the episcopal supervision that the Merseburg ordinary had lost sight of when his view of the new pilgrimage was concentrated primarily on the source of revenue. Furthermore, the Rötha example shows how George's church politics grasped the reform ideals of his era. Reform theology's criticism of externalized lay piety—as taught by the Augustinian Paltz at Erfurt University and preached to Friedrich the Wise (without noticeable reaction)[60]—became a guideline of Duke George's territorial church politics.[61]

In 1516, the city of Delitzsch experienced how the prince finally came to be an opponent of popular piety cults. An image of Saint Anne had acquired a reputation for being miraculous, and a plan was formed to construct a chapel

58 About Luther's criticism, see Volkmar, *Heiligenerhebung Bennos*, 168 f.; generally: Kühne, "Luthers Kritik."

59 For the theology of miracles, Augustine and Thomas Aquinas were decisive, while their success in popular piety was fostered through the *Dialogus miraculorum* by Caesarius von Heisterbach. See Krötzl, 30 f.; Wittmer-Butsch/Rendtel, 18–25. About methods of *discretio spirituum*, see Roth; Dinzelbacher, Vol. 2, 336 f.; Daxelmüller, col. 477; about the alternating support and suppression, see Schreiner, "Peregrinatio." A Central German example of the prohibition of a "false" pilgrimage offers the examination and ultimate suppression of a blood host pilgrimage in the village of Wartenberg near Wittenberg by Heinrich Tocke, the commissar of the archbishop of Magdeburg in 1429. See Kühne, "Mirakelbücher." Tocke also attacked the pilgrimage to the Holy Blood at Wilsnack, but was unsuccessful, see Boockmann, "Streit."

60 See Ludolphy, *Friedrich*, 339.

61 Duke George was possibly introduced to this idea by Andreas Proles, his former teacher and advisor from the order of Augustine hermits. About Proles' influence, see ch. 5, section 1.

as a focus for its veneration. This ran into vehement opposition from the town council, which alarmed the duke. The city fathers feared competition with the parish church, and Duke George took up the council's argument as his own. He ordered the priest in Delitzsch, "to display the image in the parish church [...] so that the worthy grandmother of Christ will receive appropriate honor and reverence from local people, and that the parish church will benefit from this and not be led into corruption." In this way, he also contributed to the practical application of another demand of the reform discussion, namely, the reinforcement of parish obligations as opposed to the "wild" pilgrimage churches being built everywhere. George wanted to use the St Anne image to enhance the attractiveness of the parish church rather than to fragment efforts and create discontent. However, the pastor, whose parish was part of the distant Archbishopric of Magdeburg and was not under the patronage of the duke, dared to oppose him. This reaction confirmed George's doubts about the nature of the cult. In a letter to Cardinal Albrecht, the superintending archbishop, he warned that, "there is some deception at work in this matter, and it will be necessary to watch over the people that they not be seduced by it."[62]

The duke felt free to think in categories such as pious fraud without any fear of being attacked as a heretic himself. It wasn't opposition to the prince that put the cult under suspicion of evil intentions, but rather the associated fear that it would cause a split in the community and bring discontent instead of greater praise of God. George's verdict regarding the nature of the cult was determined by social categories: "You will know them by their fruits" (Mt 7,16). This biblical adage would later characterize his polemics against the Reformation during the Great Peasants' Revolt. Once again, the secular prince demanded competence in overseeing the orthodoxy of his territory. Correspondingly, George's request to Cardinal Albrecht was strict. He did not ask the Archbishop for an assessment of the cult, but instead demanded that the local church intervene along the lines of the secular government, just as had been done in the case of the Langensalza procession.

Therefore, in Duke George's case, official support for piety did not mean an uncritical affirmation of every act of popular devotion; instead, within the Christian world view, it meant steering toward criteria that mirrored the duke's own version of a pious society. His position was informed by the contemporary theology of piety as well as by the agenda of Erasmian humanism. Support, control, and criticism were equally important motifs of the duke's church politics.

62 Duke George's letter to Cardinal Albrecht, Rochlitz, June 2, 1516, cop. 125, fol. 113v–114r.

No one felt the effects of George's point of view as directly as Albrecht von Schreibersdorf, the bailiff of the model city of Annaberg who himself was a leading exponent of Albertine rule. In 1517, when Schreibersdorf returned with his wife from a long, vow-fulfilling pilgrimage in a foreign land, a reprimand from the prince was awaiting him. George, who had previously advised against the pilgrimage, saw himself vindicated by the dangers of the voyage. He let the bailiff know that while he was indeed happy about his safe return, at the same time, he hoped that "you will reconsider our warning and what you have encountered, and in the future give much better thought about placing yourself in similar circumstances and perils."[63] As with the people of Delitzsch and their parish church, it was also considered sufficient for the bailiff to visit local shrines. Here, once again, the contrast to the unabated, late medieval piety of Friedrich the Wise could not be greater. In 1517, the same year George admonished Schreibersdorf, his cousin in Wittenberg not only allowed the pilgrimage plans of the Wachsenburg bailiff, but supported them with a gift of ten florins.[64]

Duke George, for his part, felt entitled to reject similar plans with purely secular arguments. In 1509, he informed the bailiff of Quedlinburg that the farmers needed all available horses for working their fields, and there was no allowance for the extravagances of a pilgrimage.[65] As always, religious and secular motives were tied closely together. To mobilize against the propensity for medieval pilgrimages—very much in the sense of early modern statehood—Duke George set limitations of "good policy" on his territory. It was an attempt to harness the passionately spontaneous and sometimes socially volatile religiousness of the laity through the scrutiny of cults, parish church principles and the setting of binding territorial restrictions. George's church politics can be viewed as the practical application of reform concepts, bringing to life ideas of late medieval theologians and protagonists of humanistic reform such as Erasmus, while at the same time retaining qualities that would be familiar to his great adversary in Wittenberg.[66]

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63 Duke George's letter to the bailiff of Saint Annaberg, Dresden, August 16, 1517, ABKG, fol. 1, 20.

64 As the Ernestine accounting books indicate, all of the court employees of Elector Friedrich—and also of Duke Johann the Elder—could count on the support of their prince when they made pilgrimages. See Bräuer, "Wallfahrtsforschung," 26 f.; Edition of accounting books at: Buchwald, "Frömmigkeit."

65 Duke George's letter to the bailiff of Quedlinburg, Leipzig, January 31, 1509, cop. 112, fol. 31r.

66 See Martin Luther, *To the Christian Nobility of the German Nation* (1520), in: WA, Vol. 6, 404–469, here 447–450; See also Kühne, "Luthers Kritik."—About greater mobility in the Middle Ages compared to the Early Modern Period, especially with regard to pilgrimages, see Keller, 219.

2 Case Study, Local: Founding Saint Annaberg

2.1 *The Construction of a Sacred Infrastructure*

The development of Annaberg was a sixteenth century success story. Starting in 1496, a new mining town was literally created from nothing after the discovery of silver deposits on Schrecken Mountain in the Western Ore Range. After only a few years, it had become the largest city in Saxony and was the most important silver mining site in the Ore Mountains. In Duke George's documents concerning Annaberg, the establishment of the city was attributed to the work of God. He was thanked not only for the presence of the silver that gave rise to the city, but also for the mining installation, the quick construction of the new city, and finally, for the emergence of the popular cult of Saint Anne as proof of "the special grace of almighty God."[67]

Certainly, this divine project was pleased to have the assistance of human benefactors, the most important of whom was undoubtedly Duke George. By 1497, the young Albertine had already made known (in the narrative of the city letter) that he considered his support of the city to be a princely duty: "Therefore, we have […] recognized support for all such things to be an obligation." Thematically, George drew from the contemporary ideal of a Christian prince who was to increase the praise of God, the well-being of the dynasty and the general good.[68] The duke's support for the new city extended to all areas of social life, which encompassed the planning of the city's layout, the development of the ducal administration of the mines, and included mining

67 "By the special grace of almighty God, in the renowned land of our dear lordly father and on his beloved property, a mine has come into being on the Schrecken Mountain and other surrounding mountains […]." Duke George's founding charter for the new city on Schrecken Mountain, October 28, 1497, Helbig, *Quellen*, Vol. 4, 109–112.—"That the almighty God, in his special grace, by his most saintly mother the virgin Mary and his saintly grandmother, Saint Anne, and without doubt to eternal praise, has awarded and given […] a valuable mine and with it a large beautiful city. Along with the founding of the city […] there are many treasured relics of Saint Anne sent especially by God that visitors might eagerly wish to visit." Duke George's instruction to Hans von Goldacker, Schellenberg, September 20, 1509, cop. 112, fol. 116v–118r.—The 1514 market privileges have an almost identical *narratio*. See Duke George's market privileges for Annaberg, December 10, 1514, broadsheet, loc. 9827/22, fol. 48.

68 George describes his obligations in these categories, "[…] with regard to the grace bestowed by almighty God with such an ore-rich mine, for this much praise and honor to his divine mother Mary, and also to our lordly father, to us and others, and further bequeathed land, and many pious people will benefit from it." City charter, 1497 (like n. 67), 109.

regulations, which were soon setting standards elsewhere. He awarded the town its charter and market privileges, gave support to the rapidly flourishing community, and secured his rule over the new city. His success was impressive. Annaberg grew to 6,000–8,000 residents within a year.[69] The undertaking literally paid for itself in cash as the rich yield of silver poured into the coffers of the Albertine territorial state.[70]

The founding of the city of Annaberg would be an incomplete picture, however, without acknowledging its religious side. In the Middle Ages, the establishment of a new city was inextricably connected to the establishment of religious structures. It was not a coincidence that churches were the visible center of every city. They were symbols rendered in stone communicating that the inhabitants saw themselves not only as a municipality of citizens but also as a sacred community. However, the erection of a parish church in no way exhausted the development of religious life. Especially in the late Middle Ages, the establishment of a diverse culture of piety was seen as indispensable. This had religious and social implications for the social coherence of the municipality as well as the salvation of its inhabitants. In the words of Berndt Hamm, the cities of this period were "places of extremely dense piety and religiousness."[71] The demand for a sacred infrastructure was particularly acute in a city like Annaberg. The fate of the newly founded town depended on successfully attracting a large number of qualified workers to the new silver mines. If these people were being offered a new home, "in a mountain wilderness where a forest once stood,"[72] this place had to be attractive enough to compete with the established mining towns of the empire.[73]

Ultimately, the establishment of a sacred community seemed to be the best way to organize a peaceful coexistence for a population tossed together from all corners. Accounts of murder and manslaughter during Annaberg's early years point to the fragile state of the bourgeoning community.[74] Churches and piety formed the framework that was meant to help medieval social politics

69 About the foundation and economic significance of Annaberg, see Laube, *Silberbergbau*; Burkhardt, *Annaberg*; Kratzsch; Thiel; Richter, *Chronica*.—About the number of residents, see Duke George's 1508 statement: "*adeo ut numerus ad sex milia hominum vel circiter auctus est*." Duke George's letter to Pope Julius II., Dresden, November 17, 1508, ABKG, Vol. 1, LXXX, n. 1. In the following year, the population "comes to more than 8,000 people." Instruction to Goldacker, 1509 (like n. 67), fol. 116v.

70 See Schirmer, "Finanzen."

71 Hamm, *Bürgertum*, 63.

72 Goldacker's instruction, 1509 (like n. 67), fol. 116v.

73 See Moeller, "Annaberg," 105.

74 See example below.

bring order to the chaos. Divinely sanctioned norms and levels of social interaction, from pastors to fraternities, promised to integrate and pacify the newly formed urban society with its many tensions, conflicts and social inequities. The concept for success in a medieval city—the integration of the inhabitants into a sacred community with a collective identity—had to be newly realized in Annaberg.[75]

Within the structure of Duke George's church politics, the religious aspect of the city's founding seems to be a perfect example of the prince's support, but also of his control over churches and piety. The specific circumstances give the case study of Annaberg a special appeal because, to a degree, the duke's politics can be observed under laboratory conditions.

As ruler of the city, Duke George contributed to the religious infrastructure of Annaberg on different levels. He began with the construction of the parish church, continued with the establishment of a monastery, hospital and cemetery, went on to organize the clergy and, finally, granted privileges to lay fraternities. However, the Albertine did not act alone in this, but rather with the cooperation of the bishop of Meissen, various Saxon prelates and, in particular, with the emerging patricians of the town's citizenry. It is even possible that Duke George was decisively involved in the initial act of establishing a Christian identity for the new city by naming it after Saint Anne in 1499/1501. This, however, has not been verified;[76] the name was indeed in the air as Anne was not only the miners' patron saint, but also one of the most beloved saints in Central Germany during the 1490s.[77]

A clear indication of Duke George's interest in the religious life of the mining town was his frequent personal presence whenever there were special reli-

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75 See Moeller, *Reichsstadt und Reformation*, 10–15; Hamm, *Bürgertum*, 63–73; Bünz, "Klerus und Bürger"; as a model study, see Kießling.

76 The first evidence of the name Annaberg is from 1499; in 1501, King Maximilian I gave the city its name and crest due to George's initiative. See Wolf, "Annaberg," 5; Wolf, "Kirchliches Leben," 54.

77 See Dörfler-Dierken, *Verehrung*; id., "Luther und Anna."—The introduction of Saint Anne's festival in Central Germany was due to Friedrich the Wise. He obtained a relic of Saint Anne on Rhodos during a pilgrimage to the Holy Land in 1493. Upon his return, he had coins minted that had "Help Saint Anne" stamped into them. Further, in the July 8, 1494 papal breve, he was able to have July 26 dedicated as the holy feast day of Saint Anne. As executor of the papal instruction, Friedrich's brother, Archbishop Ernst of Magdeburg ordered the celebration of Saint Anne's Day in Wettin territories. The bishop of Meissen followed suit in 1496. See the certificate of Archbishop Ernst of Magdeburg, December 4, 1495, Thüringisches Hauptstaatsarchiv, Weimar, Urk. 4350; Ludolphy, *Friedrich*, 355–359; Wolf, "Kirchliches Leben," 53; Steche, 4.

gious celebrations on Schrecken Mountain. George was not only in attendance at the laying of the cornerstone and dedication of Saint Anne's church, he was also seen among participants in the procession for the dedication of the cemetery in 1519. An obvious time for visiting was the Saint Anne festival on June 26. On that date in 1510, he was on hand for the acquisition of the Saint Anne relic donated by Duchess Barbara, and again in 1519 for the church dedication.[78] In 1514, the Friesland military campaign kept him from his planned visit, resulting in Duchess Barbara visiting Annaberg alone.[79]

To build the religious infrastructure, Duke George used the tried and tested range of instruments for ducal support of the church, including his own endowments and donations in currency, papal privileges, and relics. All of the young city's religious institutions—the parish church, the Knave's Mountain Church, the Franciscan monastery, the Trinity Hospital and cemetery, and Saint Anne's fraternity—benefited equally from the prince's assistance, and he intended to satisfy all the needs of the explosively growing population.[80] By November 1500, George presented his goals before the Annaberg city council. He had "now sufficiently provided the church with a priest, and in case there might be changes over time," he wanted "as much as necessary, to see to it that they have a priest who would not suffer insufficiencies in the service of God and other matters."[81]

As with the canonization of Benno of Meissen,[82] however, Duke George's direct financial support was limited. In light of the enormous building costs of Saint Anne's church, George's contribution of 1,000 florins at the start of construction was symbolic, as was his contribution in the same amount toward the cost of the main altar.[83] However, the sources provide absolutely no proof

78 See Steche, 6; Wolf, "Kirchliches Leben," 57, 74, 95; Richter, *Chronica*, Vol. 1, 175 f.

79 See the letter from Heinrich von Schleinitz to Duke George, [Dresden] June 6, 1514, loc. 8498/1, fol. 319–321.

80 A specific problem of the expanding mining community was the compatibility of its active proto-industrial economic life with the late medieval church's system of norms. On this issue, Duke George supported the mining interests from which he so greatly profited. He also took the much-traveled path to Rome in order to obtain papal dispensations needed by those in Annaberg. This included permission to do mining work on holidays during times of drought, easing of the rules for fasting, and the unpleasant but equally necessary permission to trade with the Bohemian Hussites. See p. 151 with n. 111 and p. 163.

81 Duke George's letter to judge and jurymen of the "new city on Schrecken Mountain," Schneeberg, November 20, 1500, cop. 106, fol. 135v.

82 See Volkmar, *Heiligenerhebung Bennos*, 81–92.

83 This led to George's additional contribution of 100 fl. for painting work in 1521. However, estimates of the costs run up to 209.000 fl. See Richter, *Chronica*, Vol. 1, 63; Steche, 6 f.,

supporting the long-established story in art history literature that George, who was otherwise thought to be frugal, came up with the exorbitant sum of 100,000 florins for the church's construction.[84] Perhaps rather more decisive were the money and services from other sources that he was able to mobilize as territorial ruler. This included in-kind contributions such as the delivery of pieces of work to the church construction site by a series of Albertine estates in 1504,[85] and the donations that Duke George collected from his Ernestine relatives and the Central German prelates.[86]

However, the greatest hopes for financial support were actually tied to acquiring a papal indulgence through the duke's Roman procurators. As described above, this required several attempts and was not successful until 1517.[87] The expected income from this plenary indulgence (designed as a local *ad instar* proclamation of the jubilee indulgence of 1500 and preached at the Sunday Laetare and the feast of Saint Anne) did not meet expectations.[88] Due

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32 f.—George also participated in the financing of the "beautiful door," the portal of the Franciscan monastery that was later replaced and can be found today in Saint Anne's church. It bears the ducal crest of George and his wife. In future, see also the art history dissertation of Simona Schellenberger (HU Berlin) about "Meister H. W."

84 As last indicated in Titze, 166.—An amount of 100,000 fl. would exceed even the total yearly budget for the Albertine territory, which in 1500 was among the richest in the empire with an average annual income of 75,000 fl. Nonetheless, due to poor source material, it is difficult to be sure about George's financial participation. Indeed, George never engaged in a similar financial expenditure related to his church politics. The Ernestines also contributed only small amounts to church construction. See Schirmer, "Finanzen," 261 with n. 6; id., *Kursächsische Staatsfinanzen*, 278–385. New studies about late medieval church construction clearly suggest that the financing of Saint Anne's church should rather be attributed primarily to the parish congregation; in other words, the citizens of the booming mining town. See Schöller; Militzer; Reitemeier.

85 See Duke George's letters to the abbot of Grünhain, the abbot of Chemnitz, Heinrich von Einsiedel, Heinrich von Schönberg, Matthias von Reitzenstein, Sittich von der Oelsnitz and the bailiff of Annaberg, Dresden, January 16, 1504, cop. 109, fol. 59v.

86 See Duke George's letters to Bishop Johann VII of Meissen, Bishop Adolf of Merseburg, Abbot Heinrich of Chemnitz and Abbot Martin of Altzelle, Schellenberg, November 12, [1521] ABKG, Vol. 1, 205; Duke Johann the Elder's letter to Elector Friedrich the Wise, Weimar, August 14, 1522, ibid., 337 f.; Elector Friedrich's letter to Duke Johann the Elder, Nürnberg, August 18, 1522, ibid., 339.

87 See p. 149–157.

88 See Pope Leo X's bull, Rome, May 24, 1517, A. S. V., reg. Vat. 1204, fol. 239–243, edited: Schulte, Vol. 2, 170–177.—The Saint Anne's market and the *Laetare* market were instituted by Duke George in 1509 and 1517 respectively. See Wolf, "Kirchliches Leben," 67.—Bernhard Wolf's information that Duke George applied for and received a papal indulgence for the Laetare market is surely incorrect (see ibid., 67 f.) as there is no evidence of it in the thick file of

to Luther's criticism of indulgences, interest had declined considerably since 1519. After the papal portion of one-third, the recorded income of 1,594 florins for the years 1517–1520 did not even cover the investment costs incurred by the charges for the indulgence bull and the procurators' expenses.[89] Despite George's various activities, the lion's share of the costs for Saint Anne's church had to be raised by local benefactors.

However, not everything which existed in the religious life of Annaberg was initiated by Duke George. The fraternities, for example, which provided for the altars in the city church, were autonomously established by citizens. Nonetheless, the duke's influence could be felt everywhere. As the most respected religious organization in the city, the Saint Anne fraternity had members throughout the entire territory. It shared a common goal with the prince in supporting the church's construction. The key position of fraternity chair was not held by an Annaberg councilman, but belonged to Dr. Johannes Hennig, dean of the Meissen cathedral and one of the most important supporters of Duke George's church politics.[90] It is therefore not surprising that in 1517, Duke George provided the fraternity with a far-reaching papal privilege through his procurator. For this, the curia demanded a fee as high as it had for the jubilee indulgence. The close tie between the fraternity and the prince expressed itself through the transfer of the patronage rights of the fraternity's altar in Saint Anne's church to Duke George.[91]

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existing documents from George's curia procurators. Wolf's documentation of a quoted notification is clearly referencing the jubilee indulgence since it mentions the plenary indulgence ("the most perfect forgiveness of sins") and announces it for exactly the three days before and after *Laetare*, during which it was possible for the first in time in 1518 to obtain the jubilee indulgence benefiting Saint Anne's church.

89 The total amount calculated by Aloys Schulte from Fugger receipts came to 1,594 fl. 28 gr. 4d for Annaberg in 1517 to *Laetare* in 1520. For the people of Annaberg, this left a balance of about 1,064 fl. See Schulte, Vol 1, 170 f. By comparison, the taxes paid to the curia for the indulgence bull came to 2,380 fl. See also, and for additional costs p. 157–161.

90 About St Anne's fraternity, see Richter, *Chronica*, Vol. 1, 66; Wolf, "Kirchliches Leben," 76–84; Dörfler-Dierken, *Bruderschaften*, 49–55.

91 The papal privileges for the fraternity included, among other things, a 30-year indulgence for participating in certain processions, permission to hear mass and be buried during the interdict, and absolution from all church punishments by a self-appointed confessional priest. For the issuance, the datarie demanded 500 duc. in the first round of negotiations, and the same amount for the jubilee indulgence. See Pope Leo X's bull, 1517 (like n. 88); Dr. Nikolaus von Hermsdorff's letter to Heinrich von Schleinitz, Rome, August 21, 1516, Gess, "Ablaß," 535–539.—About rights of patronage, see ABKG, Vol. 1, 497, n. 1.

George's concern about lay piety in Annaberg can also be found in a more general survey of the topic of indulgences. Long before the jubilee indulgence for Saint Anne's church was approved in 1517, Duke George made an effort to provide the population with other indulgences. In 1503, he ordered the road from Annaberg to Grünhain to be improved so that the people of Annaberg could more easily obtain indulgences available during Pentacost in this Ernestine town.[92] Some years later, he arranged for a jubilee indulgence to be obtained during the newly organized fair at Saint Anne's festival. This was the jubilee indulgence for the German Teutonic Order's crusade in Livonia, which was proclaimed by (the later famous) Johannes Tetzel as sub-commissar in Saxony. George made an agreement with the Dominican that "eight days before Saint Anne's festival, he will arrive on the mountain [Annaberg], erect a cross and preach the grace [the indulgence] to the public the entire time, so that people will be inspired to devotion and fervor, and the place will gain some use out of it."[93] The political and financial considerations that accompanied every indulgence permit from the duke[94] were tied to Duke George's desire—based on his church politics—to open every avenue to salvation for the residents of Annaberg that they had been accustomed to in their hometowns.

Clearly, concern for social tranquility can be identified as a motive for these princely efforts. How fragile this was in Annaberg is referred to in files and chronicler's reports. For instance, in 1514, the resident Johann Wengemayer was "woefully murdered with an unfortunate attack by evil and thoughtless people […]." Possibly with Duke George's assistance, a memorial was installed with "the brutal murder written out on a plaque"[95] as a warning. In any case, the duke took in the son of the murder victim at his court and paid him a compensatory 400 Rhenish florins that supposedly came from "those who were suspected of this misdeed."[96]

All the same, violence remained a problem in Annaberg. Five years later, the chronicles even report the murder of a priest.[97] George responded to this case by attempting to excise a certain facet of religious life in Annaberg and not to develop it further. The legal institution of church asylum thwarted

92 See Wolf, "Kirchliches Leben," 62, n. 1.

93 Duke George's letter to Johannes Tetzel, June 10, 1509, ABKG, Vol. 1, LXXVI, n. 2. See also the further correspondence, ibid, in which it can be found that the Annaberg city council had made another corresponding request to Duke George.

94 See below, section 3.

95 Richter, *Chronica*, Vol. 1, 50, with the misspelled name "Mengemeyer."

96 Georg Wengemayer's receipt, Dresden, September 29, 1520, loc. 8678/20, fol. 11.

97 See Richter, *Chronica*, Vol. 2, 91.

secular power if criminals fled to the protection of consecrated church spaces. Although a thorn in the side of every secular authority that was continually stymied and disregarded, it was never fundamentally questioned.[98] Duke George also accepted the ideal of asylum in principle,[99] but the raw conditions in the young mining town urged him to apply to the pope for an exemption that would facilitate law enforcement. "Considering the defiant people in this locale […]," the secular authorities should be allowed, "to take the miscreants out of churches, monasteries and consecrated places […]."[100] Indeed, Duke George's attempt with the pope was unsuccessful, but he did point out the close connection between the concern for religious life and lay piety on the one hand and social control on the other.

George's special engagement for the religious development of Annaberg can hardly be separated from the intensification of his secular control over the local church. Thus, the city became all the more a prestige object of the duke's church politics. Even more than in other parts of the territory, the prince made an effort in Annaberg to fully exploit the possibilities of secular church governance. This quickly brought him into direct competition with the bishop of Meissen. The confrontation was reinforced by the conflict that had been smoldering since 1502 between George and Johann VI, which coincided with the formative period of the city's development.[101] With this as a background, Annaberg became an experimental field for the duke's church governance that would wrench the church and clergy from the Bishop's authority and confine him to a liturgically representative function.

Although in 1501 the duke and bishop were acting together against the Hussite-friendly pastor Johann Pfennig,[102] two years later there were clear signs of upheaval. The Annaberg vicar refused the Bishop's orders and appealed to the duke as the responsible authority, who then successfully protected him

98 See Landau, "Asylrecht."

99 Duke George's position becomes evident in a Leipzig case, when he made Bishop Adolf of Merseburg aware of the arrest of an escaped criminal from a chapel at the dormitory of St Thomas Church in Leipzig. At the same time he asked that his officer and the provost of St Thomas Church not be prosecuted for the violation of church asylum because the convicted murderer was "unworthy of church or religious freedom." Duke George's letter to Bishop Adolf of Merseburg, Dresden, September 5, 1522, ABKG, Vol. 1, 355 f.

100 Duke George's letter to Dr. Nikolaus von Hermsdorff, Leipzig, December 5, 1516, Gess, "Ablaß," 548–550; Dr. Nikolaus von Hermsdorff's letter to Heinrich von Schleinitz, Rome, August 21, 1516, ibid., 535–539.

101 See ch. 8, section 1.

102 See p. 467 f.

from his superior.[103] In 1504, disputes between the new pastor and the chapel provost were brought before the ducal court.[104]

A short time later, George attempted to make a decision regarding the conflict over church authority in Annaberg that would have fundamentally been to his own advantage. He appealed to the pope, "in matters of religious jurisdiction in Saint Annaberg." Unfortunately, the source material is only fragmental here and gives no further specifications about the nature of the privilege sought. In all likelihood, however, it was about limiting the bishop's right to authority. This is obvious from the handed-down response from the pope: "his holiness the pope, however, has destroyed the supplication on the spot, not wishing to direct or prejudice the ordinarius (i.e. the bishop of Meissen)."[105]

Again, Duke George failed to obtain papal support for his church governance. Nevertheless, the following years saw an extraordinary increase of ducal influence over the Annaberg clergy.[106] As before, the goal was to force the bishop out. With George's support, for years the municipal council even refused the obligatory confirmation of the parish benefice that Johann VI "demanded many times in all earnestness and eagerness." However, the duke's claim to authority could not be reinforced fundamentally, whereas the bishop was able to claim partial victories from time to time. Johann VI ultimately pushed his demands through to the Annaberg municipal council for certification of the parish fief. It was perhaps not a coincidence that he accomplished this at a time when Duke George was out of the country.[107]

The close relationship between princely church governance and the support for the church and piety becomes particularly obvious when examining individual cases. During the plague epidemic in the summer of 1521, the Annaberg councilman Lorenz Pflock saw his end approaching. He had provided for the salvation of his soul through many endowments: an altar, eternal mass and an annual cartload of wine for the poor in hospital. However,

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103 See p. 335–339.

104 See Duke George's letter to the bailiff of Annaberg, February 7, 1504, cop. 109, fol. 21r.

105 Dr. Günther von Bünau's [of Schkölen] report to Herzog Georg [1505/06], ABKG, Vol. 1, LXIII, n. 1 and LXIV f.

106 In 1509, Duke George threatened the Annaberg priest with a hold on his income and worldly possessions. See p. 317. In 1519, he received the complaints of the Annaberg municipal council against the priest Wolfgang Messerschmidt, which were sent to both him and Bishop Johann VII. See Richter, *Chronica*, Vol. 2, 48–51. In 1523, following Duke George's order, a secular commission reformed the system of prebends of the Annaberg altar fiefs. See p. 305 f.

107 Letter from the mayor and municipal council of Annaberg to Duke George, Annaberg, December 19, 1519, ABKG, Vol. 1, 108.

he did not expect the fulfillment of his last wish to be granted by either the bishop or priest, but rather by the duke, "that he be graced with a burial before his altar in the aforementioned Saint Anne's church."[108] To receive permission for burial inside a church space—a religious matter—Pflock did not turn to the religious authorities, but rather to the secular prince. The duke took the request in stride. Apparently, the Annaberg councilman, the executor of his will and Duke George assumed without reservation that patronage and support for the church provided the duke with this authority.

Furthermore, Duke George even allowed himself to place a condition on granting permission for the desired privilege. He decided that the 1000 florins that Pflock had made available for a mass fief should instead be used for the income of Annaberg's preacher, strengthening this modern element in the religious infrastructure. Here, the tight grip with which the Wettin's territorial state controlled its lucrative mining towns and their economies found direct correlation in the religious sphere. Only the Reformation could take this to the next level.

2.2 *Saint Anne's Church: A Symbol of Albertine Orthodoxy*

Duke George's influence on religious life in Annaberg reached its high point with the construction of Saint Anne's church. The spiritual center of the new city was not only a parish church for the commoners, but also a symbol of the prince's church politics. To a great extent, Saint Anne's church was Duke George's project; from the laying of the cornerstone to its basic construction right through to the installation of the final furnishings, its "construction was dictated at court."[109] Piety, princely self-presentation and dynastic memory reinforced each other in an almost symbiotic relationship. It was this dominance of ducal influence that led Annaberg councilman Lorenz Pflock to regard Duke George not only as a patron, but also as the preeminent authority of the city church.[110]

The duke's influence first becomes apparent when one seeks the sources of the church's obvious modernity. With its successful mixture of late Gothic and Renaissance styles, it marks a high point in Upper Saxon church nave architecture. Indeed, Duke George showed an extraordinary openness to the modern design of the Renaissance in many construction projects. From his own burial chapel in Meissen to the Georgenbau of the Dresden palace, the duke

108 Duke George's letter to Urban Osann and Michel Lotter, Schellenberg, August 18, 1521, ABKG, Vol. 1, 184 f.

109 Warnke, 26.

110 See previous section.

smoothed the way in Saxony for new "Italian" (*welsch*) architecture, in which Renaissance style was delicately blended with local Gothic traditions.[111]

George also showed himself to be a "pioneer of the new"[112] in Annaberg by commissioning innovative artists for the church construction. Starting in 1514, Peter von Pirna, the ducal head of construction, fashioned the Italian-style copper roof with its new gables and ridge turrets. In the following year, the prince signed on Jakob Heilmann from Schweinfurt, a student of the famous Prague stonemason Benedikt Ried. The new-styled "floriated" rib vaults and gallery balustrades built under his supervision caused a historic architectural dispute in 1518 which resulted in Heilmann and Ried denouncing the traditionalistic guild system with Duke George's support.[113]

The best example with which to follow George's personal influence over the design of the church interior is the main altar. In the summer of 1518, the duke had visited the imperial diet in Augsburg and stayed at Jakob Fugger's house as a guest.[114] His proud host showed him the recently finished family chapel in Saint Anne's Carmelite church, an early Renaissance masterpiece. George's visit to the Fuggers' chapel is considered to have been the inspiration for his strong affinity for the new art forms. In the following year, the Albertine commissioned the famous main altar of Saint Anne's parish church from Adolf Daucher, the creator of the Fugger chapel. The contract explicitly states that it should "be laid out and drawn up in the Welsch style."[115]

The state-of-the-art design of the Annaberg parish church was the appropriate setting for a unique self-representation of the territorial ruler and some high dignitaries of the territory's church. At the center of this stood Duke George whose highly visible crest adorned the pulpit and altar. Involuntarily pointed at by soaring Gothic columns, the keystones of the resplendent arches also served as presentation surfaces for the exclusive list of lordly benefactors. Along with George's own coat of arms, the crests of his son and potential successor, Duke Johann the Younger, and his brother Duke Heinrich the Pious represented the princely Albertine house on the Saint Anne's church vault. The religious power of the land was represented by the bishops of Meissen and Merseburg and the cathedral chapter of Meissen and Abbot Heinrich of Chemnitz, in whose archdeaconry Annaberg was located. The close ties

111 See. Magirius, "Ausbreitung"; May, "Architektur."—See also ch. 5, section 1.

112 Warnke, 28.

113 See Magirius, "Ausbreitung," 155–157; Warnke, 26.

114 See Tewes, "Luthergegner," 330 f.

115 See Magirius, "Ausbreitung," 155–157; Warnke, 27 f., ibid. the quote. About commissioning the altar in 1519 and its transport to Saxony in 1521/22, ABKG, Vol. 1, 230 with n. 1.

between the two groups were personified by the canon of the Meissen cathedral and former Albertine chancellor, Dr. Nikolaus von Heinitz.[116]

George's initiative is illuminated in several letters from 1521 in which he called on several Saxon bishops and abbots for donations to Annaberg's church. To convince them, he referred to good works, representation and personal memorials as motives for donating. He also promised the prelates, "to honor your lordships and your family lines by having your crest installed within as an eternal memorial."[117] With its interrelated weave of secular and religious power, for which the Albertine territorial state provided the organizational framework, the Annaberg "cloud of crests" succinctly exemplified the power structure in reform-oriented Saxony.[118]

For the young mining town, this meant that the prince was almost omnipresent at the center of religious life. Thus, the religious community of citizens in Annaberg always remained aware of their territorial lord and church patron; one cannot presume that the church was solely the result of Annaberg's community pride, a typical medieval demonstration of "unity and competence among the citizenry."[119] The intense influence of the duke made Annaberg an example of territorial church politics.

Preserved according to its original design, the church interior with its furnishings from (primarily) 1516–1522, remains a unique testament to the full flowering of religious piety in pre-Reformation Saxony, which was substantially supported by princely church politics.[120] A walk through the church brings these devotional ideals to life along with the efficacy of late medieval stimuli for reform. The main altar, commissioned by Duke George, is the centerpiece

116 See Steche, 30 f. The crest of Abbot Martin of Iglau is not included. Among those prelates to whom Duke George wrote, Abbot Martin of Altzelle was not included.

117 Duke George's letter to Bishop Johann VII of Meissen, Bishop Adolf of Merseburg, Abbott Heinrich of Chemnitz and Abbot Martin of Altzelle, Schellenberg, November 12, [1521], ABKG, Vol. 1, 205.

118 A further representative element in the Annaberg parish church was supposed to be a painted family portrait of the entire house of Wettin. This prompted an exchange of correspondence with the Ernestines. At a meeting in Naumburg in August 1522, George approached Duke Johann the Elder and requested "that he give 150 guilders for the painting in the Saint Annaberg church." The painting was intended to portray the families of Duke George, Duke Heinrich, Duke Johann the Elder and the unmarried princes. Apparently, due to the Ernestine's negative response, the plan was dropped. See Duke Johann's letter to Elector Friedrich, Weimar, August 14, 1522, ABKG, Vol. 1, 337 f., the quote on 338; Elector Friedrich's letter to Duke Johann the Elder, Nürnberg, August 18, 1522, ibid., 339.

119 DaCosta Kaufmann, 86.

120 About the furnishings, see Steche, 10–39; Magirius," St. Annen."

for worship with a portrayal of Jesus' origins from the "Tree of Jesse," and Jesus as the savior and crucial element in the history of the world. This central message is combined with the popular motif of holy kinship, providing a direct connection to Saint Anne as patroness of the church and city.[121]

As a record of pre-Reformation catechesis, the extensive pictorial bible is unique in its scale, stretching around the entire church interior in reliefs on the gallery balustrades. The biblical history of salvation appears in seventy-nine scenes from the Old and New Testaments. One of the reformer's most important themes can be found here in tangible form: a didactic impetus for the pious education of the population.[122] A second series of reliefs is attached to the gallery wings and illustrates the ages of man with ten images for each gender. Here, a full step is taken from the universal history of salvation to a specific warning in the spirit of *Memento mori*. With reference to the "Dance of Death" in Dresden's Georgenbau, R. Steche even suspects a streak of Duke George's personal piety behind the Annaberg "Ages of Man" cycle.[123] Duke George later emphasized the value of this kind of didacticism in his defense of holy images and crucifixes to the iconoclasts of the Reformation. These were not idols, but instead images that aided "the memory and recollection of the simple folk."[124]

However, the duke's religious-political beliefs are most clearly captured in the Saint Anne's church pulpit, created in 1516. The installation of a pulpit alone indicated a commitment to church reform.[125] Duke George saw to it that within a short period of time an especially well-appointed position for a preacher had been created in Annaberg.[126] Inscriptions on the Annaberg pulpit communicate the duties expected of the preacher with the renewal of the church. "Raise your voice like a trumpet. Declare to my people their sins" (Isaiah 58:1). A frieze on the door was a reminder that it was the preacher's responsibility to call on the laity to turn away from a Godless lifestyle. The second inscription demands that all worldly concerns be abandoned and to preach the pure Gospel.[127] The pictorial concept on the pulpit communicates a clear commitment to the traditional church. The four fathers of the Latin Church are shown bent over their books in the best iconographic tradition. Dressed as a bishop,

121 See Steche, 18–23.

122 See ibid. About catechesis within the church, see Signori, 63–73.

123 See Steche, 23–28. About the history of motifs, see Poeschke; Rosenfeld.

124 Duke George's foreword to the New Testament by Hieronymus Emser, Dresden, August 1, 1527, ABKG, Vol. 2, 775–780.

125 See Neidiger, "Wortgottesdienst"; Signori, 18–35.

126 See above about the transfer of Pflock's benefice.

127 "Seek only the glory of God—turn to no other lesson." See Steche, 35–37.

archbishop, cardinal and pope, they simultaneously represent the teaching authority and hierarchical structure of the Roman church.[128] Beneath them is the resplendent crest of the princely pair George and Barbara, displaying a kind of commitment to this ideal image of the medieval church.

The splendor and internal references of Saint Anne's church have moved historians to regard it as Duke George's church politics rendered in stone. Heinrich Magirius sees in it the realization of "Duke George's wish [...] to preserve and support the Catholic faith." Bernd Moeller sees it as "an early monument of the counter-reformation."[129] Regardless how it may have appeared in light of Duke George's obvious anti-Lutheran attitude, the interpretation of sacred Annaberg and Saint Anne's church as a counter-reformation stronghold nonetheless fails because of its chronology. The church had already been dedicated by the time the Reformation became a popular movement.

This interpretation does, however, touch on a critical point. Saint Anne's church was built as a monument to faith; however, its opponent was not Luther, but the Bohemian Hussites.[130] The heretics who lived just over the ridge of the Ore Mountains were the enemy against whom the duchy of Saxony defended it's righteousness in a demonstration of loyalty to Rome and to orthodoxy. George clearly expressed these motives to the pope when he spoke of a propaganda effect that could bring back many Bohemian heretics to the Roman church ("*multos Boemos scismaticos ad obedientiam s.*[*anctae*] *Romanae ecclesiae*.")[131] In any case, there was a very real fear of the Hussite sect spreading into the mining town since it was located right at the border. The defection of Annaberg's first pastor Johannes Pfennig to the Hussites had made the danger of the situation very obvious.

With regard to the Reformation, however, intention and effect are to be seen separately, just as with Benno's canonization.[132] Indeed, in the 1520s and 1530s, Annaberg was unquestionably a symbol of the anti-Luther front, as opposed to the evangelical neighbors in Ernestine Buchholz on the other side of the

128 See ibid. Corresponding to iconographic tradition, the following are portrayed thusly: Augustinus as bishop (of Hippo), Ambrosius as archbishop (of Milan), the Presbyterian Jerome as cardinal and Gregor the Great as pope. See Jászai.—The depiction of the church fathers is connected to the second large church construction in the Ore Mountains in 1500, the Cathedral of St Mary in Freiberg, newly rebuilt after the fire of 1484. The same group of figures is to be found there on the famous tulip pulpit (from 1505). See ibid., 532; about the common use of the motif, see Signori 33.

129 Magirius, "Ausbreitung," 157; Moeller, "Annaberg," 108.

130 About Duke George's Hussite politics, see ch. 15, section 2.

131 Duke George's letter to Pope Julius II, Dresden, November 17, 1508, ABKG, Vol. 1, LXXX, n. 1.

132 See Volkmar, *Heiligenerhebung Bennos*.

valley. However, in fighting the Reformation, George was less reliant on the subtle persuasive power of impressive churches than on the propaganda effect of the printed word and the power of secular force.[133]

2.3 *Duke George and the Annaberg Relics*

The core of the Christian community's identity on Schrecken Mountain was formed by Annaberg's relics. Collected since 1503, the growing trove of objects amounted to 120 pieces within a short time and quickly became the subject of devout veneration. Together with the famous collections in Wittenberg and Halle, Annaberg possessed one of the great reliquary treasures in Central Germany. The relics guaranteed the new mining town a visible connection to the Christian heritage, placing it within the scope of the divine history of salvation. Made manifest by her mortal remains, the presence of Saint Anne and other saints gave residents direct access to miracle-working advocacy, promising help with the fears and hardships of everyday lives. Ultimately, for the civic community as a whole, Saint Anne's identity-establishing role as patroness of the city was tied to the relics. On the saint's day, during which the dedication of the church, the fair and the festival of the city patroness were all celebrated at once, Saint Anne's relics were led in a procession through her city, and she was asked to bless the further development of the community.[134]

Duke George has been depicted as an eager devotee and preeminent supporter of the cult of Saint Anne;[135] however, careful analysis shows that George's role diverges from the pattern of adoration set by princes such as Friedrich the Wise in Wittenberg and Cardinal Albrecht of Brandenburg in Halle.[136] What at first seems to be ambivalent behavior by George actually fits precisely within the framework of ducal church politics. Unlike his princely contemporaries, and even contrary to his own wife, Duke George maintained an inner distance to the relic cult in Annaberg. There is absolutely no evidence of George's personal veneration of Saint Anne, nor of his participation in popular pious practices. This corresponds to George's attitude regarding the Benno cult in Meissen, in which he appeared as the foremost supporter. George did not use Saint Anne's relics for princely representation, nor did he contribute substantially to their worship or augmentation. It is by observing the duke's engagement in other areas of religious life in Annaberg that his reserve with

133 See ch. 15–25.—About the situation in Annaberg, see Moeller, "Annaberg."

134 See here and in the following in detail, Volkmar, "Annaberger Heiltum."

135 For this estimate, see e.g. Wolf, "Kirchliches Leben," 53 f.; Schulze, "Heiligenverehrung," 311; Ludolphy, "Ursachen," 36; Wartenberg, *Landesherrschaft*, 46 f.; Titze, 162.

136 See also in detail, Volkmar, "Annaberger Heiltum."

regard to relics becomes quite apparent. The relics were not mentioned in the papal privileges of 1517, nor was the presentation of the relics tied to the large (jubilee) indulgence, as was common practice in Halle and Wittenberg.

On the other hand, George did not completely withdraw from his duty to support the relics; he gave his backing to the acquisition of the first Saint Anne fragments from France. The support he granted to the relics shows that his personal distance had an influence on his church politics, but did not completely control it. When looked at this way, George's support for Annaberg's relics was not because of, but rather in spite of his personal disinterest. With words coined by Franz Machilek, the duke made a distinction between private and state piety.[137] The duty of the territorial ruler to provide for the church and to foster piety among the laity was not to be disregarded, since ultimately the popularly pious saint and relic cults were well established at all social levels, even including the ducal court. Therefore, George clearly did not take the initiative in adding to the collection of relics, but with his participation, which amounted to a tacit approbation of the cult, he fulfilled his role as a pious prince.

3 Case Study, Thematic: Duke George and Indulgences

3.1 *Control*

The elements of support, control and criticism that were essential to Duke George's politics of piety also provided a structure for the theme of indulgences.[138] The basis for ducal authority over indulgences has already been addressed with precision by Felician Gess. Duke George found a way to link Wettin church politics to this field.[139] This concerned the prince's power to grant or deny permission for indulgence campaigns within his domain. Once again, secular authority was usurping episcopal influence. In other words, a new level of authority was being added to that of the bishops, who continued

137 See Machilek.

138 About the late medieval system of indulgences and especially about the large indulgence campaigns of the pre-Reformation period, see Paulus, *Ablaß*; Hashagen, *Staat und Kirche*, 162–178; Moeller, "Ablaßkampagnen"; Janssen, "Ablaßpolitik"; Winterhager, "Ablaßkritik," 6–71. The campaigns of Cardinal Raimund Peraudi received special attention; see Eisermann, "Ablaß als Medienereignis"; Schmid, "Peraudi"; Röpcke; Vogtherr.

139 See ABKG, Vol. 1, LXVII–LXXXI.

to make formal decisions as before.[140] There was, however, no trace of legal justification for this secular meddling. The duke's control over indulgences—similar to that of royal or civil counterparts elsewhere—was clearly a political power move. It required continual affirmation, either externally from the pope and his indulgence commissars, or internally from those with religious or secular power within the duke's territory.[141]

Along with the Albertine's primary interest in indulgence campaigns—typical for Europe at the time[142]—there were also countless small indulgences on offer in many churches, including those that could be earned through pious practices such as prayer or listening to sermons.[143]

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140 In 1515, Pope Leo X demanded that Bishop Johann VI permit Arcimboldi's indulgences for St Peter's within the exempt diocese of Meissen; see Pope Leo X's breve to Bishop Johann VI of Meissen, Rome, September 30, 1515, A. S. V., br. min., Vol. 3, Nr. 118.—Duke George had the bull for Annaberg's jubilee year certified before it was handed over to Annaberg by Bishop Johann VI; see Duke George's letter to the Dresden council, Weissenfels, July 18, 1517, ABKG, Vol. 1, 19.

141 The persistence against the indulgence commissars is illustrated by the example of resistance to the St Peter's indulgence in the bishopric of Merseburg in 1517. See below, section 3.—The indulgence authorizations clarify details such as George's order to eleven bishops, counts, and noblemen regarding the turnover of jubilee revenues to Emperor Maximilian's emissary in 1511. One might see a connection to the tug-of-war over the money for the Peraudi campaign of 1501–1504. Duke George's letter to the bishops, counts and noblemen, Dresden, May 15, 1511, cop. 113, fol. 91r; see also ABKG, Vol. 1, LXXIV–LXXX.—For Freiberg's "butter letter," which the Wettins supported, George had the pope specifically adjust the scope to include all the Albertine subjects and vassals (*"ac illarum vigore homines predicti* [= *Albrecht und Georg*] *ac etiam subditi, comitum, baronum et nobilium dicti ducis vassalorum, etiamsi ex aliis feudis aliorum dominorum sint subditi, et advenientes prefati butiro caseo et aliis lacticiniis diebus predictis vesci libere et licite valeant in omnibus et per omnia"*), Pope Innocence VIII's bull, Rome, June 14, 1492, CDS, II, Vol. 12, 565 f.).—However, some vassals, such as the burgrave of Leisnig, demanded the right of approval. The energetic burgrave Johanna endorsed the preaching of the "butter letter", for which Duke George had assigned the preacher from Rochlitz, in her dominion at Penig, but limited her permit to one year. See the burgrave Johanna's and burgrave Alexander's (of Leisnig) certificate, Penig, January 25, 1492, loc. 9026/2, fol. 4v. See also Kobuch, "Leisnig," 117–133.

142 See Hashagen, *Staat und Kirche*, 162–178.

143 Here, it mostly concerns episcopal indulgences (40 days) or cardinal indulgences (100 days), the so-called collection indulgences. For instance, an example in the book of CDS documents is the indulgence for the visit of Cardinal Peraudi's exhibit of Benno's relics in 1501, CDS, II, Vol. 3, 316; About episcopal indulgences, see e.g. Wiessner, Vol. 1, 399–406; Janssen, "Ablaßpolitik," 965–977. About group indulgences, see Seibold.

Two Turkish crusade indulgences of Cardinal Peraudi were among the campaigns that were allowed by Duke George within his territory. They arrived in Saxony in 1489/90 and 1502/03 along with the crusade indulgence of the Teutonic Order in Livonia. The latter was first announced in the Merseburg bishopric in 1504 and in the Meissen diocese from 1507/09.[144] In every case, permission for a campaign was tied to control, and indulgence revenues received careful attention. These were collected within churches in large chests that were overseen by the duke's officials whenever they were opened. The alms were kept in the duke's treasuries, for instance, in the Leipzig city hall. This is where the financial interests of the secular authorities came into play. In 1458, Elector Friedrich II had already given permission for the Turkish indulgence of Calixt III because half of the income had been promised to him, ostensibly to be used for defenses against the Hussites. Indeed, his successor had no desire to negotiate for similarly lavish shares, but Duke George did see to it that regular contributions were diverted into his territory for religious purposes.[145]

The true test of the prince's influence, however, was his power to prohibit unwelcome foreign indulgences. As a rule, Duke George pondered this option with every external indulgence campaign that arose.[146] It sometimes seemed as if his prohibition was doomed from the start, such as in the case of Cardinal Peraudi's jubilee campaign of 1501–1504, which had been given permission by the imperial diet.[147] Starting in 1516/17, Duke George pushed through a blanket prohibition when three campaigns applied simultaneously for admission to Saxony. All three indulgences were said to support the Renaissance development of papal Rome. Two campaigns preached for a construction indulgence for St Peter's, and the third collected for the Hospital of Santo Spiritu in Sassia, located close to the Vatican. The sub-commissars of Cardinal Albrecht collected in Magdeburg and Mainz, and Johannes Arcimboldi, a member of the curia, was active in Meissen.[148]

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144 See ABKG, Vol. 1, LXXI–LXXVIII; about the campaigns, see Moeller, "Ablaßkampagnen," 58–69; Schmid, "Peraudi," 65–88; Winterhager, "Ablaßkritik," 22–25; Janssen, "Ablaßpolitik," 958–965.

145 See ABKG, Bd. 1, LXVII–LXXX. It was unusual that in Leipzig Duke George withheld two-thirds of the income from Peraudi's Turkish campaign of 1501–1504 intended for Emperor Maximilian. He ultimately kept it as payment for some of the Hapsburgs' debts.

146 See ibid.

147 See Schmid, "Peraudi," 75—80.

148 See ABKG, Vol. 1, LXXXI; A notice about the negotiation between the Ernestine and Albertine counselors, Leipzig, February 3, 1517, ibid., 1 f.—About the campaign, see Moeller, "Ablaßkampagnen," 66; Winterhager, "Ablaßkritik," 22–27.

Duke George justified his ban based on the usual criticism that indulgence revenues were often misappropriated.[149] As a pretext, he cited Emperor Maximilian's mandate that all further indulgence campaigns were subject to imperial permission. Of course, George only invoked imperial intentions as long as it was in his own interest to do so. In 1516, when Maximilian gave explicit permission for the St Peter's indulgence in the bishopric of Meissen, George ignored the Emperor's wishes.[150] The following year, he once again posed the usual argument for an imperial ban, referring to his own authority over indulgences.[151]

It is likely that Duke George's real motive was to ensure the success of Annaberg's plenary indulgence, which the procurator had just acquired from Rome at great cost. Because of the sudden increase in nationwide indulgence campaigns around 1500, it was highly advisable to protect one's own "indulgence market."[152] In 1509 he closed his territory against an indulgence campaign, arguing that one had already been allowed, and if a second were permitted, it would "do more harm than good to the common folk."[153] At the same time, George was aware of the limits of his influence. Because of territorial circumstances, collaborating with the Ernestines was necessary in order to achieve an effective blockade. While the two family lines reached an agreement in principle, in practice there was an absence of consensus.[154]

The prince's demand for control over indulgence campaigns carried over to other forms of collected donations with the regional collection of alms and schedules for the Mendicant Order also coming under ducal authority. In particular, the giving of alms (as one of the seven corporal works of compassion, Mt 25, 31–46) was one of the core elements of medieval lay piety.[155] As with indulgences, here the duke's authority was parallel to that of the bishops, who usually allowed the collection of alms for church construction, while demanding a portion of the income for themselves. In 1513 Duke George allowed the

149 See below, n. 182; see also ABKG, Vol. 1, LXVII–LXXXI.

150 See Emperor Maximilian I's document, Ernberg, August 27, 1516, CDS, II, Vol. 3, 334.

151 George's testimonies (beginning May 23, 1516) do not specifically identify the mandate. Felician Gess points out a corresponding mandate of Maximilian's from March 7, 1515, that was, however, recalled on April 13. See ABKG, Vol. 1, LXXXI with n. 1; 1 with n. 3.

152 Moeller, "Ablaßkampagnen," 65 f.

153 Duke George's letter to the chancellor of Bohemia, January 12, 1509, ABKG, Vol. 1, LXXVI, n. 1.

154 See Duke George's letter to Elector Friedrich and Duke Johann the Elder, Dresden, March 7, 1517, ABKG, Vol. 1, 3 f.

155 About the mendicant collection system in Central Germany, see Nitz (with additional literature).

Franciscans in Kamenz, "to seek and ask for holy alms in our land and principality," in order to finance the construction of a new monastery.[156] In 1503, the priests and church fathers in Ebersbach were permitted by the duke to collect for the construction of a St Valentine's chapel.[157] As Klaus Militzer points out in studies on the building of the Cologne cathedral, such fundraising collections had enormous economic significance for late medieval church construction.[158]

Once again, princely authority gained legitimacy through its ability to resolve conflicts. The priest and church fathers in Oederan were unhappy with a collection by the Rosary fraternity, which "solicited contributions by using a sign in front of the church." However, since Meissen's bishop confirmed the collection, George threatened the priest and congregation to either calm down or face the consequences.[159] Along with the account of this conflict, two notes from January 1504 provide evidence of Duke George's regulatory activities. They defend the Leipzig Franciscans' monopoly to establish collection branches (*Termineien*) in the bailiwicks of Leipzig and Delitzsch against the claims of the Franciscan convent in Zeitz.[160]

3.2 *Promotion*

The system of indulgences was also supported by Duke George as a core element of pre-Reformation lay piety. Documents from Annaberg's early years show how George sought to promote indulgence piety among the populace. He approved a plan by the city fathers for a second preaching campaign by the indulgence commissar of Livonia.[161] Nonetheless, the duke's initiative and interest in indulgences was actually quite limited. Even though he gave permission for the majority of large indulgence campaigns, he did not particularly

156 Duke George's document, Dresden, February 21, 1513, Domstiftsarchiv Bautzen, Abteilung 1, loc. LXI, no. 9. Thanks to Mr. Markus Cottin M. A. (Leipzig) for the helpful hint about this document.—The buildings for the Franciscan monastery in Kamenz were constructed from 1493–1507. See Blaschke, "Kamenz."

157 See Duke George's letter to the priest and congregation in Ebersbach, [Dresden] November 13, 1503, cop. 109, fol. 63r.

158 See Militzer.

159 Duke George's letter to the priest, elders, and citizens of Oederan, Dresden, June 7, 1512, cop. 116, fol. 240v.

160 See Duke George's letter to Bishop Thilo of Merseburg and the officials in Leipzig and Delitzsch, Dresden, January 19, 1504, cop. 109, fol. 31r. About the Wurzen case, see p. 207.

161 About Annaberg see above, section 2 a); about Grossenhain, see Duke George's letter to the municipal council of Grossenhain, Dresden, February 21, 1509, cop. 110, fol. 81r.

encourage them.[162] Unlike Friedrich the Wise or Albrecht of Brandenburg, who bolstered their relic collections using huge amounts of income from indulgences, Duke George never showed a personal interest in acquiring large indulgences. This is why he never requested a papal indulgence with which to expand Meissen's collection of relics.

George rarely applied for the issuance of an indulgence himself. An exception was the intense, decade-long effort on behalf of the Annaberg jubilee indulgence.[163] The duke's primary motivation was the financing of the ambitious construction plans for St Anne's church. In another case, George requested a one hundred day cardinal's indulgence for visitors of the Benno relics at Meissen cathedral. This was granted by Apostolic legate Raimund Peraudi in 1501 in order to fund the negotiations for the saint's canonization.[164] Following the Annaberg example, in 1523 there was yet another discussion of a plenary indulgence for church construction in an Albertine mining town, this time for St Nicholas in Altenberg. In this case, the city took the initiative by requesting that the duke be active for them in Rome.[165]

3.3 *Criticism*

Without indulgences there would have been no Reformation. As direct impetuses for Martin Luther's ninety-five theses, indulgence practices and indulgence criticism are among the classic themes of Reformation history. The assertions of Wilhelm Ernst Winterhager have revitalized this long-standing discussion.[166] Winterhager attempts to prove that indulgences had already been resisted and rejected during the period from 1500–1517, which caused the

162 This also applies to the crusade indulgence of the Teutonic Order in Livonia. Felician Gess believes that George had "encouraged and supported" this as aid for his brother in Prussia—indeed, indirectly at best. (ABKG, Vol. 1, LXXVIII) However, this support was limited to a letter recommending allowance for an indulgence in Bohemian Lusatia from October 27, 1508, without reference to the preaching for indulgences in Albertine territory. See ibid., LXXVI, n. 2.

163 See p. 149–157.

164 See cardinal legate Raimund Peraudi's document, Brixen, November 11, 1501, CDS, II, Vol. 3, 316.

165 See Duke George's letter to Bishop Johann VII of Meissen in Rome, Dresden, January 4, 1523, ABKG, Vol. 1, 421–425.

166 See Winterhager, "Ablaßkritik"; an overview of pre-Reformation criticism of indulgences by Janssen, "Ablaßpolitik," 973–977; about the controversy over the 95 theses, see the summary by Brecht, Vol. 1, 173–215. To be corrected, however, is Brecht's account of the thesis acceptance by Adolf of Merseburg and Duke George (ibid., 200), which is based on a false interpretation of the letter by Cäsar Pflug, below.

income from indulgence campaigns to rapidly decline. The overwhelming acceptance of Luther's ninety-five theses was not due to their novelty, but rather due to the fact that they provided theological justification for the already existing hostile attitude toward indulgences among the laity. Winterhager called on George of Saxony as a star witness to support his position.[167] He quoted ducal advisor Cäsar Pflug's famous statement to the bishop of Merseburg, in which Duke George's decision to disseminate the ninety-five theses was justified, "in order that the poor people who come running and seeking mercy will be warned of Tetzel's fraud, and that the conclusions of the Augustine monk from Wittenberg will be posted in many locations."[168] But was Duke George actually opposed to indulgences?

It is well known that in George's expression of faith, he showed no personal interest in absolution from indulgences.[169] However, here it is necessary to differentiate between personal piety and the guidelines of princely church politics.[170] When critical comments by Duke George are found, they primarily concern external indulgence campaigns. Among these, two arguments are typically presented: First, the laity could be impoverished by too many indulgences on offer, and scarce cash revenues would leave the country. Secondly, income collected from indulgences could be misappropriated by the initiators.[171] Therefore, the indulgence itself is not criticized, but rather individual abuses within the institution of indulgences. Behind the backdrop of predatory competition common to this period was a functional reason for the criticism. It was to devalue outside indulgences and legitimize a defense against them. In reality, however, the intention was to protect one's own campaigns. There is little evidence that Duke George actually distanced himself from the entire system of indulgences.

It is even more difficult to square the attitude of a young George who argued on behalf of the Freiberg "butter letter" with his image as a critic of mercies generated by Rome. At the request of Duke Albrecht and the Freiberg cathedral chapter, Pope Innocence VIII issued an indulgence allowing the enjoyment of butter and milk during periods of fasting in exchange for a

167 See Winterhager, "Ablaßkritik," 17–21, with n. 35.

168 Cäsar Pflug's letter to Duke George, November 27, 1517, ABKG, Vol. 1, 28 f.; about the context of the source, which illuminates the fact that the plan was conceived by Duke George, see Werl, "Herzog Georg," 66–69.

169 See p. 86–93.

170 See above, section 2 and see Volkmar, "Annaberger Heiltum"; id., "Fürstliche Heiligenverehrung."

171 See ABKG, Vol. 1, LXVII–LXXXI, and see above in this section.

contribution to the Freiberg cathedral, which had been destroyed by fire.[172] With active support from Duke George, the "butter letter," offering a twenty-year indulgence, was printed and distributed throughout Saxony.[173] However, public criticism was soon raised against the indulgence. Three respected doctors from the University of Leipzig raised legal, moral and theological concerns that also contained a barb aimed at the papacy.[174]

Duke George quickly responded, but not as a critic. After a first attempt to calm the naysayers with formal corrections to the bull,[175] he tried everything possible to suppress them. Together with Bishop Thilo, he ordered the confiscation of 5,000 pamphlets printed by opponents of the indulgences.[176] After

172 See Pope Innocence VIII's bull, Rome, July 10, 1491, CDS, II, Vol. 12, 562 f.

173 Duke George ordered all municipal councilors to allow the commissars of the Freiberg cathedral chapter to promulgate the bull and to post the "butter letter" in city churches as well as larger rural parishes. See Duke George's note October 31, 1491, ibid., 564.—Konrad Kachelofen's broadsheet, produced in Leipzig in 1491/92, contains verification of the fasting indulgence from Bishop Thilo of Merseburg, a transsumpt prepared by Kachelofen and a summary in German. Its content regarding the bull says, "all who now give their alms and modest contributions to St Mary's Collegiate Church in Freiberg, endowed by our merciful lord of Saxony, and now erected after total destruction from the tragic fire with newly built structures, can participate in the 20-year indulgence. Many of them will turn to Our Blessed Lady through the offer by the Holy See in Rome." Bishop Thilo of Merseburg, Promulgation of the bull *Ex suscepto servitutis officio* by Pope Innocence VIII from July 10, 1491, Merseburg, November 29, 1491 [Leipzig: Konrad Kachelofen, 1491/92] (VE 15, T-10), loc. 9026/2, fol. 4. See also Kobuch, "Wiegendrucke," 49 (no. 20). Such flyers were typical for indulgence campaigns starting in the 1480s. See Eisermann, "Ablaß als Medienereignis."

174 Along with the two theologians from Leipzig, Dr. Georg Orter OP from Frickenhausen and Johann Wenglmant OFM of Bamberg, the lawyer Dr. Johannes von Breitenbach (1440–1509) stood out as a critic due to his *Consilium*, "*De potestate domini Papae*." As a judge and ordinary in the law faculty, Breitenbach was an important functionary of the Albertine territorial state. Along with formal concerns (due to two content errors in the *narratio*), Breitenbach's printed advice also contained moral criticism. The "butter letters" were seen to promote the trade of absolution for money, and to encourage lust and laxity. The accusations reach a highpoint in a critique of the pope as the issuer of indulgences, who was himself in danger of sinning through the unnecessary waiving of pious fasting: "(*ne*) *ipse papa sic dispensando* [...] *peccaret*". See Petzold, 147–164, quote 152.

175 See the bull of Pope Innocence VIII, Rome, June 14, 1492, CDS, II, Vol. 12, 565 f. The bull issued, "*pro parte Georgii ipsius Alberti ducis primogeniti petitio*," corrected the content error in the fasting indulgence *Narratio*, which had falsely claimed that in Saxony no (olive) oil was available, and that Duke Albrecht had fought against the Hussites.

176 See Bishop Thilo of Merseburg's letter to Duke George, Merseburg, June 30, 1492, loc. 9026/2, fol. 1 f.; Duke George's letter to the same, Dresden, July 3, 1492, ibid., fol. 3. It

the failure of an attempted mediation through Leipzig University, George even appealed to the papal court of justice.[177] Although the 1496 case before the Rota did not progress quickly enough for George, it nonetheless brought the desired result.[178] The critics were silenced, the fasting indulgence was allowed to continue, and in 1509 it was extended for another twenty years.[179]

With this in mind, one must be quite cautious when interpreting Duke George's approval of Luther's theses. By 1516/17, George's attitude toward indulgences had lost little of its ambivalence. Although he banned the indulgences for St Peter's and the Hospital of Santo Spiritu in Sassia,[180] at the same time he made an effort to award an *indulgentia ad instar iubilaei* for church construction in Annaberg. Ironically, Tetzel was one of George's important advisors on the Annaberg bull, being responsible for expanding the indulgence to include the deceased.[181] For George, there was no problem in rejecting Tetzel's St Peter's campaign while using the monk's expertise for his own purposes. This shows that George's actions were not determined by a fundamental criticism of indulgences, but instead by the assertion of his territorial control over them. The dense correspondence in 1517 against the St Peter's indulgence in Merseburg also shows that George's goal was just to avoid disagreeable competition and keep control of the money flow. It was also important to keep Cardinal Albrecht from profiting in some way, especially since he had triumphed over George's son in the competition for the archbishopric of Magdeburg.[182] All the same, there was no trace of opposition to indulgences as such.

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is about "the pressure from Dr. Breitenbach as he broached the subject of dairy product consumption in the papal bull," (ibid., fol 1) meaning the already mentioned *Consilium*. The flyers were ordered to be burned by the Rota auditor Dürkop, but a copy has survived in the Leipzig University library. See Petzold, 148 f.

177 See the mediation comments by Duke George, Dresden, October 13, 1492, CDS, II, Vol. 12, 567; Bishop of Schleswig, Eggert Dürkop's letter to the archbishop of Magdeburg and the bishops of Merseburg and Meissen, Rome, June 12, 1493, ibid., 568–581.

178 See the missive books' entry of Duke George's letter to Pope Alexander VI and three cardinals, January 28, 1495, cop. 105, fol. 80v: "In order to obtain a breve, which orders the monks under threat of punishment to publish the indulgence, and which brings the case filed at the Rota to a quick conclusion."

179 See Pope Alexander VI's breve, Rome, August 26, 1496, CDS, II, Vol. 12, 593; Pope Julius II's bull, Rome, November 23, 1509, ibid., 612 f.

180 See above in this section.

181 See Johannes Tetzel's instructions [August/October 1516], Gess, "Ablaß," 543–547; Schulte, Vol. 1, 78.—see p. 149–157.

182 About the conflict in Magdeburg, see ch. 7, section 3.—Despite George's ban, Tetzel's indulgence campaign won over the Bishop of Merseburg in early 1517. In Leipzig's Dominican monastery, Tetzel campaigned with indulgence sermons, although indulgence letters

Martin Luther's ninety-five theses left a much clearer impression on Duke George. By mid-November of 1517, the duke had already become familiar with them in Leipzig and had decided to support their dissemination.[183] He informed the Merseburg bishop Adolf von Anhalt about the theses and his intentions to have them posted throughout the land. But did George truly understand Luther's grievances? Pflug's report clearly shows that the duke gained new ideas from the reading, but was selective in his interpretation. That preaching for indulgences could be fraudulent, and that "poor people must be [...] warned" was a new idea that found its way into George's thinking. When read more precisely, however, George did not speak of fraud by the church or the pope, but about "Tetzel's deceit."[184] Therefore, the indulgence in itself was not questioned, but rather the practices of a specific indulgence preacher. Like many of his contemporaries, he was outraged by Tetzel's hawking of indulgences like a marketplace huckster. The derailment of this preaching was also a major impetus for Luther's theses.[185]

The duke's selective reaction to Luther's comments against Tetzel indicates how he initially embraced the Wittenberg professor's ideas according to his own interests. Once revealed by Luther, Duke George made "Tetzel's deceit" public in the hope of reaching a long-held goal—the removal of the St Peter's indulgence from the diocese of Merseburg. Pflug's report provides clear evidence that George's distribution of the theses was meant to morally discredit the

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were not issued in Leipzig. Nonetheless, the bishop of Merseburg gave permission to the commissars of Archbishop Albrecht to sell indulgences before the gates of Leipzig in the towns of Schkeuditz, Zwenkau and Lűtzen. Duke George reprimanded the Dominicans and the absent (traveling) bishop's governors and impressed upon them the importance of maintaining the ducal prohibition. In both cases, he used the argument, "such money is often [...] used for the wrong purposes," in order to temporarily halt the indulgence income and monitor how it was being used. However, due to a lack of sales, there were no revenues in Leipzig. On the other hand, much to George's chagrin, governor Günther von Bünau of Elsterberg was unable to assert himself against the Magdeburg treasurer in Merseburg, who alone held the key to the indulgence coffer and ignored George's wishes by sending the money on to Halle. See Duke George's letter to the Leipzig Dominicans, Dresden, April 1, 1517, ABKG Vol. 1, 6, there, the quote; letter id. to Cäsar Pflug, Dresden, April 2, 1517, ibid., 7 f.; the Leipzig Dominicans' letter to Duke George, Leipzig, April 6, 1517, ibid., 8 f.; Minutes from Dr. Günther von Bünau [of Elsterberg], Bishop of Samland, Merseburg, April 19, 1517, ibid., 9–13; Cäsar Pflug's and Dr. Johann Kochel's answer on behalf of Duke George, id., May 2, 1517, ibid., 13 f.

183 See Werl, "Herzog Georg."

184 Pflug to George, 1517 (like n. 168).

185 See Rabe, 213; Moeller, "Ablaßkampagnen," 67; About Martin Luther's theses that specifically targeted Tetzel's campaign, see Winterhager, "Ablaßkritik," 21; Borth, 19–21.

foreign campaign and support its official abolition (also encouraged by Luther).[186] At the least, he wished to reach those "who come running in search of mercy;" those Albertine subjects who went to the archbishopric of Magdeburg or the margraviate of Brandenburg in order to buy indulgences banned in Saxony.[187] In doing so, George's interests joined with those of Friedrich the Wise, since the Ernestine had also banned Albrecht's St Peter's indulgence and followed Luther's initiative with good will.[188]

George's decision to disseminate Luther's ninety-five theses was not based on a general criticism of indulgences. Instead, it was intended to reinforce the argument for his prohibition of the St Peter's indulgence. As the debate surrounding the ninety-five theses continued, the prince found it prudent to let the teachings of the church respond to criticism from the laity and explain the theologically unclear methods of promulgation. It was for this reason that he would support the Leipzig Disputation of 1519.[189]

Later, the Albertine still found no reason for a theologically based renunciation of indulgences. In the summer of 1517, he continued to support the authorized jubilee indulgence and kept a close watch on its revenues. Through his contact with the Fuggers and his Roman procurators, he made sure that the one-third share for the pope—destined for building St Peter's—was properly transferred to Rome. In 1521, he also extended his business agreement with the Fuggers for another three years.[190] In 1523, he even petitioned in Rome for a new jubilee indulgence for the mining town of Altenberg.[191] With this as background music, one can hear the critical tone George struck in his 1521 draft for the grievances at the Diet of Worms:

> Why are the indulgences, through which the soul is saved, given for money instead of being granted for prayer, fasting, love of one's neighbor and other good deeds? There is no holding back with praise, prizes and boasts for them, as long as much money is made. What the people

186 Another concern of George's was that Pflug would negotiate with the Merseburg Bishop. Pflug reported that the bishop "would like to be rid of the indulgences," but he was bound to the decision of the archbishop of Magdeburg. Pflug to George, 1517 (like n. 168).

187 Ibid.—According to the Leipzig Dominicans, they were asked by "weak and sick people to acquire indulgence letters from Tetzel wherever they were available." Letter from the Dominicans in Leipzig to Duke George. Leipzig, April 6, 1517, ibid., 8 f.

188 See Borth, 19–21.

189 See ch. 15, section 1.

190 See p. 155.

191 See Duke George's letter to Bishop Johann VII of Meissen in Rome, Dresden, January 4, 1523, ABKG, Vol. 1, 421–425.

> receive in return is nothing more than lies and deception from a priest who should be truthful. This is accepted, as long as the priest can bend people to his will and brings a great deal of money into the coffers.[192]

Once again it was the priests' "deception"—one imagines Tetzel—that George was criticizing, because the indulgence announcement has been edited, and giving money had become all that was required of the faithful, discrediting the Church for its obvious greed.[193] However, four years after the theses, this was still not a fundamental criticism of indulgences; in fact, it was not even a criticism by Lutheran standards when the prince emphasized how important good works were and asserted that "indulgences […] save the soul." George did not utter one negative syllable against the theology of indulgences, and they continued to be a legitimate ecclesiastical institution for him.

According to Winterhager, the general criticism of indulgences was already widespread before Luther emerged, making Duke George an unsuitable witness.[194] The opposing viewpoint becomes clear when reading the famous quote about Luther's theses in context. George was never a willing supporter of Luther as one who finally had the courage to say what everyone else was thinking; however, he did share an aversion to one of the specific reasons for the ninety-five theses—Tetzel's campaign for St Peter's—and subsequently indicated his interest in circulating them. At no point did he support a theologically motivated criticism of indulgences, such as the concerns actually expressed by Luther. Historical reality has more shades here, than first meets the eye.

4 The Subjects' Way of Life as a New Field of Church Reform

As an ethical religion, Christianity not only demands special religious activities by the faithful, it also requires daily life to follow religious norms. In order to describe this, Max Weber introduced the term "conduct of life" (*Lebensführung*) and emphasized the influence of Christian ethics on European society as exemplified by modern capitalism.[195] The social norms imposed upon lay people by the medieval church came from the Ten Commandments. To follow them meant living a religious lifestyle.

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192 Duke George's complaints against the clergy at the Diet of Worms. [early February 1521], ABKG, Vol. 1, 150–153 (also: RTA, JR, Vol. 2, 662–666).

193 Also George's efforts on behalf of the Leipzig debate. See ch. 15, section 1.

194 See Winterhager, "Ablaßkritik, " 21 with n. 35, the quote "herrschende Stimmung" ibid., 17.

195 See Weber, *Wirtschaft und Gesellschaft*, 267 f., 275, 321–348; id., "Protestantische Ethik."

From this viewpoint, Duke George considered not only lay piety, but also the religious and moral lifestyle of the laity to be elements of his church politics. This extended far beyond the context of the church into the field of social politics, where secular authority tried to ensure "good policy" (*gute Policey*) with regulations and mandates. As a guide for organizing human relations, "policy" has become a subject of much interest, especially in the research of the Early Modern Period and the history of law. Along these lines, Gerhard Oestreich's paradigm of social disciplining has been particularly valuable.[196] From a modern perspective, the secular aspects carry the most weight without contradicting the religious-historical interpretation.[197] Because the inseparable unity between the church and the world was a pre-modern cultural motif, a discussion about categorization would completely miss the point. At best, it would be a proxy war for interpretational sovereignty. To imagine the religious charge carried by social policy at the end of the Middle Ages, a look at the chiliastic reform text of the "Upper Rhenish revolutionary" will suffice. The main themes of lay reform are stated: the antichrist "will convert the devout Christians, kill the faithful, strangle the drinkers, burn the usurers, behead the criminals, and suppress sacrilegious power."[198]

Based on intensive research into the social realities of policy legislation, the following section can focus on its implications for church politics. We ask how the prince legitimized his demands, particularly with regard to the bishops and jurisdiction over the clergy. We also look into the close relationship between policy and church reform, assuming that policy legislation was less about applying norms than about influencing the society's self-image.[199]

4.1 *The Preamble to the Law Code of 1498*

"Since all the people of this land have inadequately kept God's commandments, such as performing good deeds with fasting, celebrating, and avoiding sin, God has withdrawn his mercy from all endeavors which may lead to man's honor, happiness and salvation; and has sent many punishments and plague.

196 As an introduction to research on the topic, see the articles in Härter; about the example of early law codes, see Schubert, "Gebot"; Janssen, "Gesetzgebung"; Weber, *Reichspolizeiordnungen*.—About the concept of social disciplining, see Krüger, 107–119.

197 See Janssen, "Gute Ordnung," 161–166; Schubert, "Gebot," 38–43; Hamm, "Prozeß," 66 f.

198 Quoted from Wolgast, "Reform," 323 f. About the close connection between secular politics (e.g. imperial reform) and church reform, see e.g. Boockmann, "Zusammenhang."

199 See Landwehr.

Therefore it is necessary and beneficial to win back God's mercy and fulfill his will and commandments."[200]

Thus begins a draft of the Wettins' law code penned in Duke George's chancery in 1498. In the preamble, the secular prince puts forth a decree that pushes past the limits of his authority. He then seeks to legitimize this intervention into the sphere of clerical regulation with a complex argument about the inextricable bond between religion and society. Considering the duke's self-regard and the pattern of action in his church politics, his effort at justification nonetheless carries a powerful message. This is especially so since the draft's preamble was taken directly from the Wettins' influential law code of 1482.[201] As a key statement of goals in Duke George's church politics, the argument in the preamble deserves a very close look. It is here that the approach to a religiously based reform of the laity is developed.

The duke's opening thoughts contend that man's violations of God's commandments threaten the welfare of the country.[202] When the laity's lifestyle violates the norms of the church, God withholds his mercy from the entire land and sends "punishment and plague." His mercy is absolutely essential "when people begin to worship man, and chase after happiness and bliss." Its absence creates an untenable situation and a double danger for both the welfare of the country and individual salvation.

He goes on to say that then the church would be called on to remedy the problem, and it would place the offense "under ecclesiastical regulation and punishment." Here, the prince cites the church's failure to fulfill its social duty to punish the sins of the laity in order to preserve God's mercy for the country. Not only did it use its penal authority "leniently and deficiently," it also relied on fines, a counterproductive form of punishment because people would then believe they could buy their way free from the consequences of their sins. This caused the duke to fear that "wherever sin is punished with money, it will increase and not decrease."

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200 See the draft for a common Wettin law code [prior to July 9, 1498], loc. 14950, "Konzepte [...]," 1474–1525 (unpaginated), as sheet no. 2 in fascicle "1502"; edited according to another version: Burkhardt, *Landtagsakten*, 35–40. The quotes and paraphrasing here and in the following are from Burkhardt. Variant readings are referred to separately. Instead of "bot gots," as Burkhardt edits, it should read "gebot Gots" as in the Dresden draft.

201 See below, section 4.

202 Draft law code of 1498 (like n. 200), 35 f.

At this point, the prince announces his intervention. On the one hand, he insists that "all ecclesiastical judges inside and outside the territory"[203] should give stronger warnings to the laity to perform their duties and to pay for their violations "with religious atonements according to ecclesiastical rules and not just with fines." On the other hand, the decline of religious penal authority had led to "weak enforcement and contempt by many people" and the fear that "it cannot be made stronger without secular regulation."[204] Duke George saw it as "necessary and beneficial" to strengthen the ecclesiastical norms in his role as secular ruler. With "princely authority" he was prepared to "forcefully command throughout the entire land" that the laity must obey, and in the case of violations, to threaten secular penalties in addition to ecclesiastical sanctions. This resulted in a religiously legitimized basis for ducal reform in the lifestyle of his subjects. It was later applied with provisions to ensure the sanctification of feast days.

With the draft law code of 1498, Duke George set up one of the most distinctive developments in princely church politics prior to the Reformation. In the last decade of the fifteenth century there were attempts at the territorial and imperial levels to reform subjects' lifestyles with secular legislation. The earliest known example comes from the Thuringian law code of Duke Wilhelm III in the mid-fifteenth century.[205]

This was made possible by the merging of two[206] historical lines of development. During the rise of the territorial state in the late Middle Ages, princes began to reach into previously autonomous social areas. They took over the contemporary organization of social coexistence that had been labeled as "good order" (*Gute Ordnung*) or "policy." This precipitated the enactment of mandates and regulations from which the comprehensive law code later took

203 Draft law code of 1498 (like n. 200), 36. Instead of "rechte," as Burkhardt edits, it should read "richtern" as in the Dresden draft.

204 Ibid. As opposed to Burkhardt's reading, it is supplemented by the crucial "nicht" in the second quote. See the draft law code of 1498 (like n. 200).

205 For details on Wilhelm III, see ch. 4, section 6. –To a similar end, Emperor Maximilian I issued a decree against blasphemy at the reform Diet of Worms in 1495. However, it was not until the Reformation era that an imperial decree (*Reichspoliceyordnung*) was passed at the Diet of Augsburg in 1530. See Unruh, 392–397; Schulze, *Fürsten*, 114 f. This imperial legislation was hardly seen by territorial rulers to be competition. At the Diet of Augsburg in 1518, Duke George even welcomed the negotiations regarding "the imposition of a ban on [...] excessive clothing, excessive eating and drinking, blasphemy and gambling." (Duke George's letter to Elector Friedrich III of Saxony [Augsburg, prior to September 6, 1518], ABKG, Vol. 1, 44).

206 See Wolgast, "Reform," 324 f.

its form. Such regulations were usually called "*reformatio*," which, despite their modern content, suggests that the legislation was just a renewal of older laws.[207] What's more, George's law code of 1498 did not actually call for a new regulation of the laity's lifestyle; instead, it sought to strengthen implementation of religious norms through ducal authority. As with the Wettins' law code of 1482, the discussion can be reduced to purely secular and economic policy issues;[208] however, the territorial rulers frequently pulled back their new demands to fit within the context of church reform. At this point, the second line of development comes into view.

Since the failure of conciliarism, the princes increasingly saw reform of the laity as their duty.[209] As in the preamble of 1498, they tended to base their arguments on the failures of religious authority. This allowed them to intercede according to the *theory of the two kingdoms* with legitimate emergency assistance. Luther's idea of an "emergency bishop"—the idea of a prince with episcopal regulatory authority *in spiritualibus* during crises—was not actually a creation of the Reformation, but was a late medieval concept already in use in many places.[210]

Further support for legitimizing this approach came from one of the most important visionaries of the fifteenth century. Nikolaus von Kues stated, "The concept of social peace is achieved when the subject's path to eternal salvation has been made smooth."[211] The policing legislation aimed at attaining social peace was not the final secular goal, it was meant to serve the higher purpose of salvation for every individual. In this way, a prince's obligation to care for the welfare of his subjects in this world was expanded to saving their souls for the next one. This essentially religious interpretation of princely responsibility for the common good was a widely used pattern of argumentation.[212]

As Christian princes, the Wettins felt responsible for the salvation of their subjects. The law code questioned the commoner's ability to act responsibly,

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207 See Janssen, "Gesetzgebung"; id., "Gute Ordnung," 161–164; Willoweit, "Landesherrschaft," 77, 122–128; Unruh, 388–400; Schubert, "Gebot."

208 See below, section 4.

209 See ch. 3.—About the specific failure of conciliar efforts to reform the laity, see Helmrath, "Theorie und Praxis," 68–70.

210 See Schieffer; Hashagen, *Staat und Kirche*, 433–441; Janssen, "Gute Ordnung," 166.

211 "*Principium autem pacis est, ad finem aeternum dirigere subditos*." Quote from Janssen, "Gute Ordnung," 165.

212 Along with the examples in Saxony and Jülich-Berg cited here, the same pattern of argumentation can also be found, for example, in Bavaria and Austria. Rankl, 260; Hofmeister, 264.

thereby justifying the princes' social discipline.[213] "Because many common people are not always wise and reasonable, and are used to bodily lust instead of striving to honor and support the salvation of the soul [...] it is necessary and proper that the princes of the land" intercede to ensure that the religious commandments are upheld "and that the princes' authority is imposed upon them and penalties are ordered with force throughout the entire land."[214] The advantage of an intervention by secular authority was that laymen feared punishment in this life more than "future suffering" in purgatory.[215] Authoritarian social discipline through secular regulations and prohibitions was already a consequence of pre-Reformation discussions about reform—and not only in Saxony.[216]

Finally, the princes introduced a third religious concept: Religious misconduct by the laity outside the church's control constituted an abuse of the Holy Commandments, as it provoked God's punishment and directly threatened the welfare of the country. Theologically, this perception of the relationship between God and man and Christian responsibility was characteristic of the Decalogue from the Old Testament. From the perspective of patriarchal princely rule, the Old Testament image of a God who set down commandments and extracted punishment when they were not followed was a familiar one. It was an analog to the princes' own concept of governance.[217] It also coincided with a theological development at the time in which the Ten Commandments were strongly emphasized once again, especially in the catechism, the instructions to the laity.[218] For this reason, the commands in the Decalogue and the consequences of God's scorn were central to the sermons of the papal legate Johannes Capistrano, the prominent Franciscan preacher of repentance. He was assigned the task of publishing Duke Wilhelm III's morality mandate

213 Kersten Krüger has pointed out that Gerhard Oestreich is speaking of "social regulation," along with the well-received concept of social disciplining. According to Krüger, "social regulation" indicates a regulating reaction by authorities to changes in society. The subsequent step of social disciplining, however, refers to the active design of changes by the authorities. Nonetheless, at this point, we use the established term "social disciplining" (*Sozialdisziplinierung*) for practical reasons. This choice is supported by the fact that Duke George actually planned to educate his subjects and not just regulate their lives. See Krüger, 107–119.

214 Draft law code of 1498 (like n. 200), 35 f.

215 Ibid., 36.

216 See Janssen, "Gute Ordnung," 164–174; Schulze, *Fürsten*, 118 f.

217 About the religious dimension, see Bast, 146–234; About patriarchal princely governance, see p. 93–96.

218 See Bossy, 35–42; Duffy, 53–87.

in 1452.[219] Bishop Adolf of Merseburg even chose the Ten Commandments as a structure for his policy legislation in the city of Merseburg.[220]

Therefore, a complex analysis of society—characterized by a medieval Christian worldview—provided justification for the duke's intervention into the religious lifestyles of his subjects. It was an awareness of the interdependence between human and sacred activities, the ruinous work of the devil, the weaknesses of human nature, and the salvation of the soul in the afterlife, which was to have priority over well-being in this life. The religious motifs were integral elements of the analysis and not some sort of imposed ideology. Furthermore, the duke could not place himself above these relationships "because of a Christian duty to carry out the sacred Holy Commandment of our blessed faith."[221] Additionally, the problems and their possible solutions had been rationally thought through, and there was a readiness to try new approaches through the law code.[222] The draft of 1498 was not actually passed, and it remained just a piece of paper; nonetheless, the arguments developed here lived on and are found again in the two Wettin mandates on blasphemy and drunkenness of June 1513.[223]

4.2 *The Law Code of 1498/1502*

The plan for a common law code for the Wettin territories (separated since 1485) did not originate with Duke George; however, no one worked so energetically for it as the young Albertine, and the draft of 1498 was ultimately generated by his immediate circle.[224] The new version was directly linked to the Wettin's first joint law code by the brothers Ernst and Albrecht in 1482. The concept of a common set of laws for both territories actually came out of the logic of partition. Only one set of laws for both territories could hope to

219 See Bast, 184 f.

220 See Bishop Adolf's ordinance for the city of Merseburg [about 1521/23?], cop. 1293, fol. 67–70.

221 Joint mandate, 1513 (like n. 1) fol. 4r.

222 Manfred Schulze discusses the draft law code under the paradigm of modernization. See Schulze, *Fürsten*, 115–120.

223 See joint mandate, 1513 (like n. 1), fol. 3r–4r.

224 The best overview of the background and discussion about the draft law code of 1498–1502 is found in Goerlitz, 194–199, see also Richter, *Landesordnungen*, 17 f. Additionally, the documents from 1490/91 quoted below should be taken into account. Less concise summaries are given by ABKG, Vol. I, LV–LXII; Schulze, *Fürsten*, 112 f. Please take note of the false headings in Burkhardt, *Landtagsakten*, 35–49. About this, see also Goerlitz, 196, n. 1 f.

be successful, since "according to experience, the testamentary partitioning of the principality blends and intertwines the lands with one another."[225]

In 1490, Duke George proposed the creation of a common law code, and the Ernestines agreed.[226] The young ruler and his advisors worked toward this goal with tenacity and in 1490 and 1491 there were two documents setting out legislation mutually approved by both Wettin lines.[227] At the same time, on December 19, 1491, George issued an independent mandate to Albertine cities ordering adherence to the provision against luxurious clothing in the old law code of 1482.[228] In November 1493 George recommended that his father consider a new draft of the old law code of 1482.[229] Two years later, he announced to the bishops, counts and noblemen that a new version of the comprehensive Wettin law code was about to be written.[230]

However, it was not until 1498 that the plan was realized. At the joint state diet at Naumburg on July 9, 1498, the princes presented a draft to the Estates of the realm. It had been prepared in the Albertine chancery in part by Lord Marshal Heinrich von Schleinitz.[231] The draft had apparently been conceived as a basis for negotiation since at several points the proposed forms of punishment had not yet been specified. In one case, the ecclesiastical jurisdiction was deferred until planned negotiations with the clergy could take place.[232] As conferring partners, the Estates were present along with the Ernestines, and their approval was explicitly provided for in the draft. For good reason, Duke George hoped to find cooperative partners in the Estates since they had

225 Negotiations from Duke Albrecht's council meeting [1488], in: Goerlitz, 483–485. About the dating, see ibid., 194.

226 See the memorandum from Duke George's council about the planned committee meeting in Leipzig, February 2, 1490, Burkhardt, *Landtagsakten*, 6 f.

227 See the joint mandate of Duke George, Elector Friedrich and Duke Johann the Younger, August 4, 1490, in: Goerlitz, 489 f. see also ABKG, Vol. 1, LIV with n. 2. About the joint letter by id. and Archbishop Ernst of Magdeburg of August 19, 1491, see Goerlitz, 199.

228 See Duke George's mandate to the Albertine cities, Dresden, December 19, 1491, loc. 14950, "Konzepte" […], 1474–1525 (unpaginated).

229 See Goerlitz, 194.

230 See Duke George's letter to the bishops of Meissen and Merseburg and the counts and noblemen, March 30, 1495, cop. 105, fol. 122r.

231 Draft law code, 1498 (like n. 200). Compared to the Burkhardt edition, a more complete draft from the hand of Lord Marshal Heinrich von Schleinitz is found in: loc. 14950, "Konzepte" […], 1474–1525 (unpaginated), as sheet no. 2 in the fascicle "1502". Ibid. Also a further copy as sheet no. 7 with an additional paragraph under the heading "Muntzhandlung" on fol. 6v–fol. 7v of this sheet.

232 This took place in Naumburg in 1500. See ch. 9, section 2.

already taken an active part in generating the law codes of 1446 and 1482.[233] They agreed to the draft in principle but requested moderation in some of the details. Finally, advisors from both family lines were assigned the task of revising the draft,[234] and in the following year, they produced a paper that annotated every provision of the law code, proposed edits and penal provisions, and added a series of new regulations. These proposals were to be presented to the princes without seeking further opinions from the Estates.[235] This caused the negotiations to come to a standstill. As an exchange of correspondence from May 1499 indicates, the Ernestines had blocked approval of the law code.[236]

It was not until 1502 that Duke George was able to set the negotiations in motion once more. Advisors from both sides met on May 5 in Oschatz for preliminary discussions and worked out a draft from July 5–8 in Naumburg. This appears in the Dresden files under the title "The New Provincial Law Code" (*die nawe landes ordung*).[237] It is, in fact, a reworking of the draft from 1498, incorporating the proposed changes from 1499 and supplementing various points from the provincial law code of 1482. In its primary elements, such as the preamble (taken word for word), it follows the 1498 version closely.

Finally, in the summer of 1502, a provincial law code for the Wettin territories was on the table. At a parliamentary conference, both sides had sought unity in its content and "had given priority to their common lands and seen it through with resolve." Nonetheless, the draft never became law. Even at its completion, the Albertine advisors had already warned George that "several misapprehensions and problems" between the two Wettin lines would likely jeopardize approval of the law code.[238] The problems arose from disputed rights from the partition treaty that had created friction, and this external conflict did indeed

233 See Richter, *Landesordnungen*, 12–16; Schubert, "Gebot," 30 f.; Unruh, 397.

234 See Goerlitz, 195.

235 See the council meeting held by both Wettin family lines in Naumburg, April 29, 1499, Burkhardt, *Landtagsakten*, 42–46. With the wrong title "Landtag zu Naumburg," Schulze, *Fürsten*, 119, the misunderstanding led to proposed changes in 1499 which were worked on by the Estates. See also the parallel information in: loc. 14950, "Konzepte […]," 1474–1525 (unpaginated) as sheet no. 8 in fascicle "1502," at the end, but before the final paragraph, four more points about interest and resale.

236 See Goerlitz, 196.

237 Draft of a joint Wettin law code from July 5–8, 1502, loc. 14950, "Konzepte […]," 1474–1525 (unpaginated) as sheet no. 3 in fascicle "1502," further writings as sheets no. 4 and 5. The quote as a note on the back side of fol. 12v of sheet no. 3—see Goerlitz, 196 f.; about the content, see also Richter, *Landesordnungen*, 55–58.

238 An assessment by Albertine advisors "Diß ist nebenn der ordnung […]" [1502], loc.14950, "Konzepte […]," 1474–1525 (unpaginated) as sheet no. 6 in fascicle "1502." The content, the

hold back passage of the code. The issue was not resolved until the Grimma Dictum of 1534.[239] During a council meeting at Schneeberg on September 14, 1502, the Ernestines tied implementation of the law code to the solution of several complex disputes, and they categorically rejected any further negotiations. With this, the fate of the law code was sealed. Although Duke George definitely wanted a law code for his territory, he stopped short of going it alone. The only recourse was to set down joint mandates for individual problems. In the end, Duke George was never able to achieve a Saxon law code.[240]

The regulations in the draft law code pertained to two general areas. At the core was reform of the laity, which was anticipated in the first paragraphs of the preamble. Beyond that, the draft contained several dictates concerning policy and economic regulation.[241] Finally, there was a short but very informative paragraph about ecclesiastical jurisdiction.

The list of provisions concerning the religious lifestyles of the laity covered: 1) prohibition of drinking, gambling and dancing during periods of fasting and holidays; 2) problems associated with alcohol consumption [the "common beer," keeping a tab and drunkenness]; 3) adultery; 4) homicide; 5) usury by retail businesses; 6) luxurious food and clothing; and 7) limits for feasts held by peasants and nobility, which was added to the 1502 draft. While the modern observer can understand these provisions outside the context of Christian morality, the law code presented itself as a pious provision. The preamble points out religious motives for banning drinking, and also gambling and dancing during periods of fasting and holidays. In subsequent articles, religious reasons were also given for the reform of other abuses. For example, drunkenness "has an effect inspired by the devil," and harms people in their "soul, honor and goodness." Further, it was thought that adultery and homicide were rampant because there was not enough "fear of sin," and severe punishment would be

order of the files and identical handwriting indicate a direct relationship to the draft law code of July 1502.

239 See Virck, "Ernestiner," 3–21.

240 See Richter, *Landesordnungen*, 18; Goerlitz, 197–199.

241 Especially the following from the 1498 draft: criminals and criminal noblemen; the import of foreign wines and drinks; regulation of lower courts; here in particular, a ban on the Roman law practice of using lawyers; contracts for interest on the sale of inherited farmlands; urban trade guilds; the sale of salt in Halle; weights and measures; a ban on noblemen to serve foreign princes; as well as city taxes. See draft law code, 1498 (like n. 200); See also Goerlitz, 199–228; about the changes to the draft of 1502, see Richter, *Landesordnungen*, 55–58.

necessary to maintain "God's mercy [...]" for the country because "God had always punished such sin with horrible plagues."[242]

The draft authorized by Duke George in 1498 was noteworthy for its programmatic rigor. Regardless of generally accepted practice, the bad habits of the laity were flatly banned. At the diet of Naumburg in 1498, the estates had already requested that the duke show moderation. Furthermore, in 1499 and again in the revised draft of 1502, advice from counselors on both sides favored some reasonable level of easing. Thus, the ban on drinking, dancing and gambling during the many religious holidays and during periods of fasting was limited only to morning hours when the main mass was celebrated, "from one vesper to the next." This meant it was in effect from evening to the following afternoon, and continuously during periods of fasting. Innkeepers were allowed to keep tabs on a daily consumption of up to two Groschen, which included the "common beer" during Christmas holidays. It was also noted that no one should be forced to participate in such carousing. In 1502, a limitation was imposed on periods of imbibing during work days. Compared to the 1498 draft, the limit within cities was pulled back from 9:00 p.m. to 8:00 p.m. in summer, and from 8:00 p.m. to 7:00 p.m. in winter with a firm starting time of 4:00 in the afternoon. For villages, a complete prohibition remained in place.[243]

The additional modifications from 1499 and 1502 are also illuminating.[244] A new subject was the restriction of luxuries during celebrations. In 1499, regulations were added for rural feasts which specified the number of guests allowed for wedding engagements, weddings, and kermesse celebrations, as well as a total ban on serving guests for baptisms, "*Kirchgange*" (initiations of mothers who have recently given birth),[245] funerals, and burials.[246] In 1502, restrictions were also placed on the nobility's celebrations of weddings and first

242 Draft law code, 1498 (like n. 200), 36 f.

243 See draft law code, 1502 (like n. 237); draft law code, 1498 (like n. 200).

244 See draft law code, 1502 (like n. 237); draft law code, 1498 (like n. 200); council meeting, 1499 (like n. 235).

245 The purification was the reinstatement into the church of women who had given birth. It was celebrated based on the biblical account of the purification of Mary (Candlemas). See also Veit, 156–158.—For the nature of this practice in Saxony, there are hints from a note by Duke George in 1525. The prince ordered measures to be taken against "a 'six-weeker' named Bergeryn" who "did not want to be introduced as is common in regular Christian churches." He demanded that until the guilty party finally turned away from her superstitious practices, she should be banned from "weddings, baptism of children, attending church, and other festivities, as well as occasions when women otherwise meet together." Duke George's letter to the municipal council of Delitzsch, Leipzig, January 9, 1525, ABKG, Vol. 2, 5.

246 See council meeting, 1499 (like n. 235); draft law code, 1502 (like n. 237), fol. 6.

communions.[247] Except for some provisions about policy and business, which will not be discussed at this point, the changes continued in line with the many non-specific threats of punishment from 1498.[248] In most cases, a substantial fine was imposed of up to two to three Groschen per person, for instance, for celebrating during prohibited holidays. The penalty for drunkenness varied according to the Estate with the "landgrave, gentleman, knight, noble or the prince administering punishment" and a threat of dismissal from service to the duke.[249] An addition to the 1498 draft stated that the commission of adultery by those serving under the duke or by fief holders could be punished by removal from office or forfeit of the fief. Here, the duke clearly showed a special interest in maintaining exemplary morals among his officials. The 1502 version contained new provisions for implementing the law code. It required the sworn commitment of all local office holders ("attendants, tax collectors, and mayors") to the law code, and in particular the appointment of a civil servant as superintendent.[250] Finally, the 1502 draft contained yet another passage which contemporaries understood as a religiously oriented reform of social life: the expulsion of Jews.[251]

With religious efforts to renew the ethics and morals of the entire land, the draft law codes of 1498 and 1502 became a cornerstone of Duke George's church politics. At the same time, they are proof that the Albertine's endeavors for ecclesiastical reforms had already begun during the period of his reign and showed no signs of abating in 1500. This does not mean, however, that the reform politics were revolutionary. In medieval terms, they were conservative reform activities intended to eliminate undesirable developments and reestablish conditions to their previously acceptable status. Reaffirming the law code of 1482, the following letter was sent to Albertine cities in 1491, "Because we wish to follow our elders and ancestors, […] we are especially obliged and owe it to them to direct our efforts in support of the common good."[252]

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247 See draft law code, 1502 (like n. 237), fol. 7r.

248 Threats of punishment in earlier law codes were not yet common, becoming the norm starting in the seventeenth century. See Unruh, 396.

249 Council meeting, 1499 (like n. 235), 43.

250 See the draft law code, 1502 (like n. 237), the quote fol. 8r.

251 See the draft law code, 1502 (like n. 237), fol. 6v.—In 1490, Duke George ordered Count Adam von Beichlingen to immediately expel the Jewish families who had been living under his protection for the previous six years. In doing so, George raised the accusation of Jewish blasphemy and usury and referred to an agreement with the Ernestines, "not to tolerate any Jews being on, or residing in, our combined lands." Duke George's letter to Count Adam von Beichlingen, Dresden, November 13, 1490, loc. 4485/11, fol. 2.

252 George's mandate, 1491 (like n. 228).

However, George's law code is more than just a reiteration. In the first place, the law code itself was still a new instrument. As the examples from 1446 and 1482 show,[253] the distribution and implementation of the code was by no means a given; the creation of the law code was considered to be an innovation itself.[254] Secondly, George's draft contained more new ideas than repetitions. Indeed, the new code was a clear departure from its 1482 predecessor with selective tradition-building elements from the reform politics of Wilhelm III in Thuringia.

The law code primarily concerned the legitimacy of reform methods. Duke George's profoundly religious analysis stood in contrast to the purely secular reasoning of Elector Ernst and Duke Albrecht. In their 1482 document, the decline and decay of the country were brought to the attention of the princes by the Estates of the realm, and were attributed to "bad currency." Additionally, there were too many servants, wages for builders were too high, and luxuries in food and clothing were increasing alarmingly. In order to "support the general welfare" and comply with petitions from the Estates, the princes saw themselves, "obligated to make rules and regulations based on princely power and authority."[255] Indeed, the law code addressed many questions of policy and economic regulation that had been attended to in the 1498 draft. Therefore, it is all the more remarkable that the 1482 document was not used as a model for the latter version. According to Woldemar Goerlitz, "Its content was used minimally."[256]

Instead, Duke George's draft refers to the most active advocate for church reform that the house of Wettin had ever produced: Duke Wilhelm III. Wilhelm's collective Thuringian reform legislation—including the Thuringian law code of 1446, the morality mandate of 1452 and the legal reform of 1454 entitled the *Reformatio Wilhelmi*—was the direct source for George's draft.[257] This can be seen in the preamble about how the connection between obeying commandments and God's mercy affects the welfare of the country; likewise, the refer-

253 Because the implementation of Duke Wilhelm III's law code was hindered by Elector Friedrich II, the code of 1482 quickly fell out of use. This was still the case when in 1526 the Leipzig council undertook the reprinting of 125 copies through Melchior Lotter in an attempt to bring it back under discussion. About 1446, see Richter, *Landesordnungen*, 12–16; about 1482 see Goerlitz, 193–195.

254 About the beginning of state legislation in the empire, see above in this section.

255 Law code of Elector Ernst and Duke Albert from April 15, 1482 [Leipzig: Markus Brandis, 1482] (GW, Nr. 9388), loc. 9349/13, fol. 25–30, the quote fol. 25r. An earlier edition of the law code by Lünig, Vol. 1, columns 1–12, has been critically acclaimed by Goerlitz, 193, n. 9. About the survival of documents, see also Richter, *Landesordnungen*, 16, n. 19.

256 Goerlitz, 194.

257 About Duke Wilhelm III's reform laws, see ch. 4.

ences to individual policy regulations and reform of the laity. Regarding reform of the laity, the 1498 draft was especially oriented toward the morality mandate of 1452. As a response to the penitential sermons of the papal legate Johannes Capistrano, it included more rigid measures than the law code of 1446.

However, the provision barring the laity from appealing to ecclesiastical courts in secular matters came from the 1454 *Reformatio Wilhelmi*[258] and appeared in the 1502 version after failed negotiations with the clergy in July of 1500. The 1498 draft, however, was always selective, which is why the ban on gambling with cards and dice was not carried over from the morality mandate of 1452. It should be noted that Duke George's law code dealt with only two aspects of Wilhelm's legislation: reform of the laity and ecclesiastical jurisdiction. Reform of the secular clergy and monastic reform were excluded, despite having been discussed in Wilhelm's law code.

The significance of Duke George's law code lies in the intentional connections made to Wilhelm III's politics—the high point of Wettin church reform in the fifteenth century. This is not at all diminished by the fact that the law code was never enacted with full legal force. The next section will show how the reform goals of Duke George's church politics were pursued with mandates instead.

4.3 *Reform Mandates*

During his entire period of governance, George issued mandates for the reform of the religious lifestyles of his subjects. Some of these were promulgated jointly with the Ernestines. Unlike the law code, research usually considers these announcements, or "commandments of the territory" (*Landgebote*),[259] to be have been individual aspects of laity reform. Often in the form of a broadsheet, the mandates were distributed to Duke George's local officials as well as the local authorities: bailiffs, cities, counts and lords, prelates as well as the gentry.[260] The bishops of Meissen and Merseburg were singled out for written appeals and requests to implement the mandates, "to uphold them and order them to be followed."[261] The local authorities were charged with a double function: to inform the population with public readings of the mandates, and to enforce them.[262] Furthermore, by employing the parish clergy, Duke George used the

258 See also ch. 9, section 2.

259 See Schubert, "Gebot," 37 f.

260 See e.g. the list of addressees of the letter to the bishops about the joint mandate of August 4, 1490, Goerlitz, 489 f. About the book printing service, see Schubert, "Gebot," 58–61.

261 Letter to the bishops about the joint mandate of August 4, 1490, Goerlitz, 489.

262 See also ch. 5, section 3.

most efficient communication network of the time. Regarding the distribution of the 1513 mandates against blasphemy and drunkenness, "our friend the bishop should take to the preaching lecterns and pulpits in all the cities, towns and villages to instruct through his spirituality and our princely public pronouncements how God considers these to be great transgressions."[263]

These are the known mandates of laity reform:

Mandate	**Regulation for the reform of the laity (prohibition)**
Joint mandate by Duke George and the Ernestines from August 4, 1490[a]	Keeping tabs with innkeepers
Duke George's mandate of December 19, 1491 to the Albertine cities[b]	Food and clothing luxuries (confirmation of regulations concerning these points from the law code of 1482)
Joint mandate by Elector Friedrich, Duke Johann the Younger, and Duke George from June 15/20, 1513[c]	Blasphemy, drunkenness
Duke George's mandate, announced in front of Dresden's city hall on July 14, 1522[d]	Adultery
Duke George's mandate of March 30, 1523 to all authorities in the territory[e]	Blasphemy, keeping tabs with innkeepers, gambling with cards and dice, idleness

a Joint mandate, 1490 (like n. 227).

b George's mandate 1491 (like n. 228).

c See the joint mandate, 1513 (like n. 1); Letter from Elector Friedrich and Duke Johann the Younger about the joint mandate with Duke George [June 1513], ThürHStA Weimar, Reg. Rr, 353, no. 104, fol. 1. Dating is possible from a printed copy of the same letter to the provost of Mildenfurt, Weimar, June 20, 1513, ibid., reg. Q, no. 137, also the summary at Burkhardt, *Landtagsakten*, 94 f.; see also Richter, *Landesordnungen*, 19, with n. 35.—See also Goerlitz, 209 with n. 6, the dating there is June 15, 1513 according to two copies in the SächsHStA Dresden (loc. 14954, mandate collection; loc. 9810/5), which are no longer to be found.

d See ABKG, Vol. 1, 331–333. The wording of the mandate is as an insert in a report about the punishment of the adulterers Jobst Weissbrot and Hans Krauß handed down to the Dresden market. See also p. 544 f.

e See ABKG, Vol. 1, 489 f.; Goerlitz, 208 f. for a concept of the mandate, see loc.14950, "Konzepte [...]," 1474–1525 (unpaginated)

263 See the joint mandate, 1513, (like n. 1), fol. 5r.—About the significant role of the priesthood in rural area communication, see Bünz, "Kommunikation," 82–112.

When seen together, the first impression is one of a rather unsystematic process. This is probably due in part to how the mandates have been passed down. It is also true, however, that a systematic legislative action would never have been the duke's goal. Considering how legislation was viewed at the time, ecclesiastical norms were assumed to be eternal laws.[264] The duke intervened with his mandates only where the effectiveness of the norms seemed to have deteriorated. As a consequence, he was able to punish violations even when there was no secular sanction in place.

Along with his own mandates, Duke George supported the issuance of municipal edicts. In the mandate of December 19, 1491, he called on municipal councils to develop their own ordinances for limiting food and clothing luxuries and to present them to him for approval.[265] In 1500, his request became a command. Together with the Ernestines, Duke George ordered all cities in the land to report on their local status and to propose municipal decrees against food and clothing luxuries.[266] It has been verified that Meissen, Delitzsch, Oschatz, Grossenhain, Oederan and Freyburg upon Unstrut responded to the order.[267]

The direct consequence of this ducal initiative is evidenced by the city of Oschatz. In an October 1501 letter, Duke George sharpened his call for strict compliance with the new regulation due to "a number of sinful and harmful activities by your common folk such as gambling, excessive drinking and other counterproductive abuses against the will of almighty God to the people's own detriment. This is to initiate movement toward both averting and changing such matters."[268]

In Freyburg upon Unstrut, a new municipal ordinance generated controversy in 1500. The local priest spoke against the regulation from the pulpit using insulting language. Exactly what his complaints were is not found in the ducal files. In any case, Duke George was not moved. He had Freyburg's councilmen send their ordinance to the ducal court for confirmation and commissioned Dietrich von Witzleben from neighboring Wendelstein to interrogate the priest and forbid him from publicly agitating against "such ordinances that your gracious lord has supported."[269]

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264 See above in this section.

265 See George's mandate, 1491 (like n. 228).

266 See Goerlitz, 196.

267 See Goerlitz, 196, n. 6. About Freyburg, see n. 269.

268 Duke George's letter to the Oschatz town council, October 26, 1501, cop. 107, fol. 72v.

269 Duke George's letter to Dietrich von Witzleben, [Dresden] October 26, 1500, cop. 106, fol. 90r. See also the letter id. to the Freyburg council, [Dresden] October 26, 1500, ibid.

4.4 *The Topics of Reform*

An overview of Duke George's regulations for laity reform can be gained by combining both draft law codes with mandates. Within the larger framework of policy legislation, subjects such as coinage, public security (drudgery and vendettas), business in the cities and countryside, and the regulation of servitude should also be noted.[270] On the other hand, many cities did issue their own edicts, some in direct collaboration with the duke. When evaluating the ordinances, however, one must be mindful that this did not constitute a systematic regulation of the laity's religious lifestyle; instead, it was intended to reform only individual abuses.

In attempting to extract meaning from the frequency with which abuses were mentioned, there is a danger of topical repetitions. At best, one might draw conclusions about the virulence of perceptions at the time. Subsequently, food and clothing luxuries, drunkenness, keeping tabs with innkeepers and blasphemy were all problems to be closely observed.

Creating a thematic order for these individual points is no less difficult since the severity of the violations was seldom described. Direct infractions against the Holy Commandments and ecclesiastical order included blasphemy, neglecting periods of fasting and holy holidays, adultery, homicide and usury. Furthermore, the Wettins considered it blasphemous to publicly express doubt about God's almighty power or justice.[271] A godless lifestyle tied men to idleness and spending time in inns, where gambling with cards and dice as well as drunkenness were "inspired by the devil." This harmed the "soul, honor and goodness," while keeping a tab of drinking debts could bring the common man to financial ruin.[272] Dealing with alcohol intemperance and drunkenness was seen as a preventative measure since "under the influence of drunkenness, God is blasphemed, people are murdered and many other awful acts are committed, such that drinkers, at the risk of their honor, soul and reason must commit their body and mind to God."[273] Finally, the duke also led the fight against luxury in food, clothing and celebrations. This was not only for economic and socio-political reasons;[274] he also feared "inevitable ruin from sinning against

270 See Goerlitz, 199–228, 303–349.

271 See the joint mandate, 1513 (like n. 1), fol. 4r.

272 Draft law code, 1498 (like n. 200), 36 f.

273 See joint mandate, 1513 (like n. 1), fol. 5.

274 This was how a mandate criticized the luxurious clothing of townswomen in Albertine cities due to "it, nevertheless, being inappropriate for their status or their person and […] leads to further proliferation." See George's mandate, 1491 (like n. 228).

God."[275] "Excessive consumption of food, alcohol and clothing"[276] clearly refers to gluttony (*gula*) from the list of cardinal sins.

When compared to corresponding territorial or imperial edicts, the collective regulations for reform of the laity created an underlying nationwide catalog of subjects.[277] However, in the majority of Albertine cases, it was typical for only a limited range of mandated topics to come under discussion.[278]

4.5 *The Praxis of Reform*

Although the implementation of reform mandates was in the hands of local authorities, the duke himself was sometimes active in specific cases. This resulted from poorly developed official procedures since everyone, in principle, was able to appeal directly to the prince.[279] A range of topics, including marriage, adultery and sexual violations formed the core of the duke's personal engagement. Although not fully presented here, the source material does show clear guidelines for the duke's intervention in the punishment of rapists, the enforcement of marriage vows and the reestablishment of a "devoted" marital status between estranged spouses.[280] The religious aspects associated with these subjects become clear when examining Duke George's decision to reject a rapist's request for leniency. The justification given was that the guilty party had committed an "un-Christian, evil act" on holy Christmas Eve, and furthermore, the victim had been on her way to attend church.[281]

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275 Ibid.

276 Ibid.

277 For examples from other territories, see p. 63–65.

278 This was contained, for example, in the oft-cited regulations concerning the areas of holiday sanctification, luxury clothing, excessive "consumption of food" during celebrations and gambling for money in Wilhelm III's 1446 law code. The morality mandate that followed six years later in 1452 repeated only the gambling ban, and the regulations concerning sanctification of holidays. It continued, however, against adultery, usury, idleness, and excessive drinking. From this, one would hardly presume that the wearing of luxurious clothing and holding of lavish celebrations would actually be completely stopped in Thuringia. See Duke Wilhelm III's law code, Weissensee, January 9, 1446, Müller, *Reichstagstheatrum Maximilian*, Vol. 2, 86–95; Wintruff, 80 f.; Schulze, *Fürsten*, 47–49, 67–69.

279 See also Volkmar, "Hofrat," 89 f. (with related literature).

280 See the files in: loc. 7444/6, 9703/10, 9703/12, 9703/14; About re-establishing marriages, see Duke George's letter to the counts of Beichlingen, August 25, 1502, cop. 107, fol. 312v; Duke George's letters to Hans von Hayn, November 10, 1494, cop. 105, fol. 36v.

281 Duke George's letter to Elector Friedrich, Dresden, June 1, 1524, loc. 9703/12, unpaginated.

Initially, the vice of gambling for money was not generally forbidden by Duke George in the draft law code; however, he was soon touched by the problem within his own private sphere. His wife, Duchess Barbara, had to admit to having indulged in her passion for gambling during the duke's absence, albeit behind closed doors and within the confines of her own room.[282] In 1515, Duke George took action on behalf of Peter Hetersberg, whose servant had gambled away his master's money. The bailiff and town council were ordered to ensure that the lost money was returned to its rightful owner.[283] Two years later, when the Annaberg municipal council sought permission from the prince to conduct a lottery (*hafen*), Duke George demanded that they seek clarification from the city's clergy as to whether "such activities were considered pious and could be conducted with good conscience—or not."[284] When Duke George attempted to completely outlaw gambling with cards and dice in 1523, he was dealing with cases of "robbery, murder and thievery" as well as the threat of poverty for the common man.[285]

An example concerning the regulation of holidays reveals a different set of circumstances. Duke George was not actually interested in the proper sanctification of holidays as much as in the economic harm done by the excessive number of lost work days. With an ordinance in 1520, he obligated the armor-making guild to do away with their weekly "good Monday."[286] While the master in Dresden complied with the order, unexpected resistance came from the armor-making guild in the Upper Lusatian city of Bautzen. Journeymen were sent there as representatives from Dresden to punish the "offense" against their master. Likewise, a journeyman was sent from Bautzen to Dresden to protest against the increase in work time. Several letters give evidence to the pressure placed on the Bautzen town council by the duke to quash external resistance to the reforms.[287]

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282 Duchess Barbara's letter to Duke George in Frisia, Dresden, June 7, 1514, loc. 8498/1, fol. 239 f.

283 See Duke George's letter to the bailiff and town council in Annaberg, Dresden, April 17, 1515, cop. 119, fol. 279v.

284 Duke George's letter to the Annaberg town council, Dresden, April 2, 1517, ABKG, Vol. 1, 8 f.—The word "hafen" (also "Glückshafen") means "pot or container" (Baufeld, 118); the winning lottery ticket was pulled from it. Such lotteries were common at marksman's fairs such as the one on July 8, 1498 in Leipzig. See VE 15, L-14-L-17.

285 Duke George's mandate, Dresden, March 30, 1523, ABKG, Vol. 1, 489 f.

286 Duke George's letter to the mayor and town council of Bautzen, Dresden, November 17, 1520, Arras, 285.—About the journeyman system, see Bräuer, *Gesellen*.

287 See the sources at Arras, 285–287.

A final aspect of reform that was not addressed by the mandates was the way in which the laity practiced confession and communion. The practices were already covered by ecclesiastical regulations, but Duke George was nonetheless active in at least one case. Interestingly enough, this was at the request of a priest. The Bautzen canon, Heinrich von Kottwitz, administered the parish of Senftenberg from 1512–1532. In 1517, he reported to his parish patron, Duke George, about the parishioners' improper practices while making confession and taking communion. The duke then ordered bailiff Heinrich von Luettichau from nearby Ortrand to conduct a visitation at the parish along with the canon. In a joint action by secular and ecclesiastical power, the priest and the duke apparently hoped to have the assertiveness "with which to turn these poor people away from their unruliness when confessing and receiving the holy sacrament, and to create order in praise of God for the blessedness of their souls."[288]

5 Conclusions

Based on his vision of a Christian society and his princely duty to God, Duke George's church politics were not limited to the institution of the church. Instead, they were an attempt to reform the entire society. This combined the ruler's traditional support of the church with his criticism of the laity's piety and a demand for order in the emerging territorial state. The politics were shaped and given special intensity by Duke George's patriarchal governance. Furthermore, his demands for regulation did not spare the clergy. While recognizing the extent of ecclesiastical authority, the duke actually wished to harness it in order to legitimize his own efforts. In reality, however, he did not allow the bishops and archdeacons any real say in his endeavors. This was the case not only in the Saxon bishoprics (*Landesbistűmer*), but also in the Albertine areas in the dioceses of Magdeburg and Mainz.

As a practical result of his politics, the duke frequently intervened in local cases. As in all areas of his church politics, Duke George relied on the power of secular governance. In some of his important initiatives, such as the canonization of Benno and the development of religious life in Annaberg, one can observe a long-term, systematic approach. He reformed the lifestyles of his subjects in order to oppose and discipline impious behavior, seeking a general

288 Duke George's letter to Heinrich von Kottwitz, parish priest at Senftenberg, Dresden, May 28, 1517, ABKG, Vol. 1, 14 f. About the person, see ibid., 14, n. 1.

solution by using secular sanctions in the law code and mandates to punish violations of ecclesiastical norms.

Unlike many contemporaries, George was neither an enthusiastic collector of relics nor a passionate worshiper of the saints and their pilgrimage sites. Another factor was the prince's theological education, which gave him a broader horizon than the laity. This personal disposition informed his church politics, which swung between lordly demands for piety among the laity and a dislike for extroverted forms of worship. Just as George could exert criticism of the clergy's abuses as a layman, he could also take the clergy's position when it came to the pious practices of the laity.

The duke had a tendency to following ecclesiastical order and to support the institution of the parish church. This was apparent when he had clerical scholars investigate the religious nature of a new cult, or when he prohibited the construction of a new pilgrimage chapel. Here, George's politics were presented as the practical implementation of contemporary reform theology. Slightly exaggerated, one could say that George was an ecclesiastical reformer with secular power. For a secular prince, this was rather unusual when compared to his peer Friedrich the Wise or even the Bavarian house of Wittelsbach during the Early Modern Period. It was most likely the princes who were the highest-ranking exponents of lay piety and acted as protectors of laymen whenever bishops and priests campaigned against the "uncontrolled expansion" of pious practices.[289]

Finally, to understand how the laity fit into the duke's church politics, one must go beyond medieval orientations. Even in the fifteenth century, monasteries had been considered the primary targets of princely reform, since the godly life of the regular clergy was traditionally thought to benefit all of society. Now, however, reform politicians such as Duke George made the entire population responsible for maintaining God's favor and consequently the welfare of the entire land. The duke's authority over the religious activities of the laity was a product of his patriarchal responsibility for princely governance, the salvation of his subjects, and for the church throughout his territory.

289 See Hartinger, 33–50.

CHAPTER 13

Printing and the Public before Luther

1 Printing and the Public

Reconstructing the pre-Reformation public sphere is one of the most fertile undertakings in contemporary research. Starting from the premise that "without the printing of books, there would have been no Reformation,"[1] historians, book researchers and Germanists have investigated the preconditions for the "media phenomenon Luther" (*Medienereignis Luther*) (Bernd Hamm) and have made remarkable discoveries. It was not only the technicalities of book printing, which had been established decades earlier, it was also the intensive level of communication that was first highlighted by Rainer Wohlfeil as "the public of the Reformation" (*Reformatorische Öffentlichkeit*) that had also begun to form by the end of the fifteenth century.[2] Thanks to the printing of books, political, scholarly and religious themes were being swiftly communicated and discussed across the land by about 1500. The fragmented and localized social spheres of the Middle Ages began to blend together, expanding into a potentially permanent, empire-wide field of communication. At the beginning of the sixteenth century, the primary forms of media were the pamphlet and the one-page flyer, typically featuring a combination of text and woodcut illustrations. They were not only read by individuals, but were also widely read aloud to others.

Many printed pieces stand out for their persuasive qualities.[3] As *intimatio publica*,[4] they attempted to win over influential readers during controversies

1 Moeller, "Stadt und Buch," 117.

2 About the public during the Reformation, see p. 560, n. 3; about printing as a media revolution, see Giesecke.—For the pre-Reformation situation, see Eisermann, "Blätter"; id., "Buchdruck und Herrschaftspraxis"; id., "Typographie"; id., "Ablaß als Medienereignis"; Hamm, "Medienereignis"; Bünz, "Druckkunst"; Repgen, "Antimanifest"; Schmid, "Wallfahrtslandschaft"; Volkmar, "Druckkunst."—Before Gutenberg, the public and propaganda were not completely unknown concepts in the Middle Ages, but typically, the public was local, partial and situational, limited to specific conflicts and mostly included elites. See Hruza, "Propaganda Einleitung"; Schubert, "Erscheinungsformen"; Lentz, "Rechtsstreit"; Miethke, "Konzilien als Forum."

3 See Eisermann, "Blätter"; id.," Typographie."

4 The Leipzig professor Johannes Weisse († 1486) collected broadsheets and flyers issued in 1480 by the archbishop of Mainz, Diether of Isenburg, in his conflict with the city of Erfurt.

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such as the Mainz bishopric feud in 1461/63, the Frankish tax dispute of 1481 and the Reuchlin-Pfefferkorn episode, which also generated the "Letters of obscure men."[5] While there is no doubt that the early Reformation was the media event of its time, research has shown that this was neither sudden nor without precedent.[6]

The intensive use of the new "black art" for religious literature reflected the importance of piety within the society of the late Middle Ages. Along with universities, religious institutions were among the first clients of printers. The spectrum of ecclesiastical commissions ranged from elaborate liturgical books at the high end to mass-produced letters of indulgence and dispensation forms at the low end.[7] There was also a large market for religious literature in the vernacular as the laity's level of education and interest in religion increased.[8]

This relationship was made clear by the pre-Reformation printing production in Leipzig. Later becoming the printing capital of Germany, Leipzig had been forming connections to printing centers across the empire since the 1480s. In the first two decades of the sixteenth century, five established printing shops had reached a combined output of approximately 1,400 publications, which amounted to several thousand pages per year.[9] Melchior Lotter the Elder, who was the leading printer in the city after 1500, published textbooks and classic volumes for the university, but he also printed missals, breviaries and psalters for German bishoprics. Lotter also published many volumes of contemporary pious literature.[10] From 1506 to 1517 he released five German editions of *Hortulus animae*, the most popular book of prayer at the time.[11] In

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Weisse labeled his collection as "*intimatio publica*," or public announcements. See Eisermann, "Leipziger Einblattdrucke," 385.

5 About the Mainz bishopric feud, see Repgen, "Antimanifest"; Eisermann, "Blätter," 292–294; About the Pfaff tax dispute, see p. 55, n. 17; About the Reuchlin-Pfefferkorn dispute, see Meuthen,"Epistolae obscurorum"; Rummel.

6 See Hamm, "Medienereignis."

7 See Eisermann, "Ablaß als Medienereignis"; id., "Buchdruck und Herrschaftspraxis"; Bünz, "Druckkunst."

8 See Hamm, "Medienereignis," 160–162; Schreiner, "Laienbildung"; William-Krapp; Grubmüller; Henkel.

9 About printing in Leipzig, see Claus, *Untersuchungen*; id., *Druckschaffen*; and Döring; Eisermann, "Leipziger Einblattdrucke."

10 See Döring.

11 *Ortulus anime to dude*, Leipzig: Melchior Lotter the Elder, 1506 (VD 16 H 5106). Further editions from 1511, 1513, 1516, 1517 (VD 16 H 5107, 5108, 5111, 5113). About the content, see Küppers.

1502, *Legenda s. Anne* was published in Latin and was subsequently printed four more times up to 1517.[12]

2 Wettin Traditions

Leipzig's blossoming printing industry immediately captured the attention of the Wettins. In 1482 Elector Ernst and Duke Albrecht had Markus Brandis print two editions of their new law code, which were among the earliest publications to come out of Leipzig.[13] The new medium enabled the princes to distribute a text that was considered innovative in and of itself; the law code was one of the first acts of territorial legislation in the empire.[14] Many tax proclamations, coin mandates, and military call-ups that were contracted in Leipzig by Duke Albrecht and Duke George confirm the widespread use of printing for secular administration.[15] This gave the Wettins an advantage over other princes in the empire. There were two different ways to use the broadsheets: in letter form (such as a tax proclamation) and in the form of large posters hung on town halls or church doors for the purposes of public awareness.[16]

The advantage of using printing for political propaganda purposes was clear to the Wettins. The best example of this was the "Frisian war." In 1513 after a long period of tensions, Duke George decided to take military action against Count Edzard of East Frisia who, despite being an Albertine vassal, put up a challenge to Saxon rule. George obtained an imperial ban against Edzard from the Kaiser and tied its enforcement to Count Johann from Oldenburg and the Countess of Braunschweig. After a long period of preparation, the military campaign began in 1514. Despite some early successes, George was ultimately unable to defeat his opponent.

However, the Albertines did have the upper hand when it came to employing propaganda in support of the campaign. In 1513/14, all printings that informed the German reader about the situation in Frisia described the conflict from the

12 *Legenda s.*[*an*]*ctissime matrone Anne genitricis v.*[*ir*]*gi.*[*ni*]*s Marie matris et Hiesu Cristi auie*, Leipzig: Melchior Lotter the Elder, 1502 (VD 16 L 971). Further editions from 1505, 1507, 1512, 1517 (VD 16 L 972 f., 975 f.).

13 Law code of Elector Ernst and Duke Albrechts from April 15, 1482 [Leipzig: Markus Brandis, 1482] (GW Nr. 9388 f.).—About the discussion of the beginnings of printing in Leipzig, see Steinführer, "Heilemann"; Döring.

14 See ch. 12, section 4.

15 See VE 15, entries A-116 to A-129 and G-49 to G-63.

16 See Eisermann, "Leipziger Einblattdrucke"; id., "Typographie."

Saxon point of view. The six pamphlets printed in Leipzig and Nűrnberg were partly the direct result of Duke George's initiative.[17] Melchior Lotter printed an official justification for the military campaign in 1513.[18] In the summer of 1514, news of Saxon victories was spread throughout the empire in a pamphlet titled "Frisian War" which emphasized the conquest of the city of Appingedam. Duke George's official report, printed *cum privilegio* in Leipzig by Martin Landsberg, ended with the announcement that "how the assault on Addingedam was executed will soon be included in the next printing."[19]

3 The Promotion of Pious Literature in Leipzig

The development of Leipzig into a printing center along with the Wettins' political use of public communication created the appropriate framework for George's church politics with the pre-Reformation public. Source material for this is scarce. There is only sporadic information about the clients, the financing and the generation of early printing, and it is not possible to identify every project which involved the prince. While much is still unknown about the Duke's commissioning of the printing press, some connections may nonetheless be made.

The discussion begins with the mention of a circle of people in Leipzig who were authors or publishers of theological and pious literature. A remarkable number of them had close contacts to Duke George, and some were even important figures in his church politics. Hieronymus Emser, George's longtime secretary, court chaplain and court publicist, appears several times as the author of texts about Benno of Meissen and also as the publisher of the *Enchiridion militis christiani* by Erasmus of Rotterdam. The Leipzig theology professor Hieronymus Dungersheim, one of George's ecclesiastical advisors and visitators, was contracted by the duke in 1514 to pen a scholarly discourse on Hussite heresy.[20]

17 See Möncke, 51 f.

18 See *Hirnach volget, was beschwerung und unrechten, uns, hertzog Georgen vonn Sachssen etc., von graven Edezart von Embden begegent vnd czugefugt ist* [Leipzig: Melchior Lotter the Elder, 1513] (VD 16 ZV 19880). See also Möncke, 52 f.

19 *Frieslandischer krieg. Und was der durchlaucht hochgeborne furst un.*[*d*] *herr, herr Georg hertzog tzu Sachssen* [...] *do selbst gekriegt* [...], [Leipzig: Martin Landsberg, 1514](VD 16 F 2893). See also Möncke, 53 f., with the quote. About the announced second pamphlet, see below, n. 70.

20 About the texts by both authors, see below in this section.

One of his predecessors in the theological faculty, Johannes Hennig (who later became dean in Meissen) released a printed text in 1492 about the spectacular rediscovery of the alleged original inscription on the cross ("INRI") at the church of Santa Croce in Gerusalemme in Rome. He also published a summary of the Benno proceedings in Rome in 1521.[21] The reading master of the Leipzig Dominicans, Markus of Weida, was among the most active of authors. In 1512, he published several sermons by his fellow Dominican, Nikolaus von Schőnberg, with an introductory letter from the (later) bishop of Meissen, Johannes von Schleinitz.[22] Both Schőnberg and Schleinitz were important advisors to the duke, especially regarding his curial church politics.[23] There is some evidence that Weida advised George during his secular negotiations with the Ernestines,[24] but he is more clearly associated at court with duchesses Zedena and Barbara.

Some of the pious texts and theological tracts by this circle of people can be directly identified as commissions by the duke. The long foreword to an anti-Hussite treatise by Hieronymus Dungersheim called *Confutatio apologetici cuiusdam sacre scripture falso inscripti* begins with an address "*ad illustrissimum principem ac dominum dominum Georgium Saxonie ducem*."[25] Printed in Leipzig in 1514, the text seems to have anticipated the pamphlet wars of the Reformation era. The Leipzig theologian mentions that, as a vigilant Christian prince, Duke George had become aware of a publication in Nűrnberg that made apologies for the Hussite faith. To protect his subjects from a dangerous interpretation of the Holy Scripture, George had commissioned Dungersheim

21 See Johannes Hennig, *Sermo de passione* [...], [Leipzig: Martin Landsberg], 1492 (GW 12190 f.); [id.] *Titulus triumphalis causae passionis et mortis Christi*, [Leipzig: Martin Landsberg], 1492 (VE 15 T-17). About the content, see. VE 15, Vol. 3, 561; [id.] *Vita beati Bennonis episcopi Misnensis ad Leonem X. pont. max.*, Rome 1521, 4° (copy used: B. A. V., Stampati, Barberini, U.VII.93). See also Volkmar, "Druckkunst"; id., *Heiligenerhebung Bennos*, 99 f., 194 f.

22 Nikolaus von Schönberg, *Orationes vel potius divinoru.*[*m*] *eloquioru.*[*m*] *enodatio.*[*n*]*es facundissime, pregna.*[*n*]*tissimis sente.*[*n*]*tiis referte* [...], Leipzig: Wolfgang Stöckel, 1512 (copy used: UBL, Stöckel 66).—This refers to sermons given by Schönberg before Pope Julius as a theology professor and member of the papal oratory. See O'Malley, 111 f.; Kalkoff, "Prozess," 393.

23 See ch. 6, table 1 and see Volkmar, "Kurienprokuratoren."

24 My thanks for collegial advice to Dr. Uwe Schirmer, Leipzig (now Professor at Jena).

25 Hieronymus Dungersheim, *Confutatio apologetici cuiusda.*[*m*] *sacre scripture falso inscripti: ad illustrissimu.*[*m*] *p.*[*ri*]*ncipem Georgium: Saxonie duce.*[*m*] *etc. a magistro Hieronymo Dungerssheym de Ochssenfart, sacre theologie professore, edita*, Leipzig: Wolfgang Stöckel, 1514 (VD 16 D 2947), fol. A II.

to refute the Picardian heresies.[26] This can be seen as a direct response to a pro-Hussite *Apologia sacrae scripturae* printed in Nuremberg in 1511.[27]

Along with Duke George, both Albertine duchesses, Zedena and Barbara, were also promoters of religious books. Their primary contact was Markus von Weida. When the Leipzig Dominican visited the widowed Duchess Zedena in Tharandt, she was taken by a translation of *Liber specialis gratiae* by the mystic Mechthild of Hackeborn. At the duchess's request, Weida arranged for an edition to be printed by Lotter in 1503. In the following years, further books by Mechthild and Bonaventura came to be printed in a similar manner.[28] In addition to mystical devotional books, Zedena sponsored explications of the church liturgy and introductions to lay piety in the vernacular. An elucidation of the mass (also arranged by Weida?) was published by Lotter in 1509 "at the encouragement and expense of her highness […] Princess Lady Zedena."[29] Commissioned by the duchess, Weida himself wrote "a useful lesson and instruction as to how and what one should pray, and in particular an interpretation of the 'Our Father.'"[30] The devout duchess—who regularly provided her son Duke George with the latest pious literature[31]—was not only interested in this work for her personal use, she also wanted to see it printed and distributed. The intentions that guided Zedena were put down on paper by her daughter-in-law Barbara. She asked Weida to write instructions for the popular prayer of the Rosary, "to praise and honor God and his holy mother, to improve and inspire the common folk to devotion, and as a favor to me."[32]

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26 "*Hoc tu princeps catholice vigilanter advertens, et ob eos qui ditioni tue haud distanter incumbunt hereticos, Picardos vulgo appellatos, subditis tuis nedum de temporali pace, quod optimi p.*[*rae*]*sidis est, sed et pro tua in deum observantia, de fi dei stabilitate, sine qua nec pax vera aut salus constare potest, fi deliter providere volens, tractatum quendam pestiferum, apologiam sacrescripture falso et mendaciter p.*[*rae*]*titulatu.*[*m*]*, Nuremberge quod plurimu.*[*m*] *miror, sed furtim ut estimo nuper impressum eorundem Picardorum heresibus totum respersum, discutere mihi demandasti.*" ibid., fol. A IIr–A IIIr.

27 See Freudenberger, 54–56.

28 See Döring.

29 *Ein sunderliche andechtige beschaulickeit von dem ampte der heiligen messe* […], Leipzig: Melchior Lotter the Elder, 1509 (VD 16 S 7009). Quoted from VD 16, 1. Section, Vol. 19, 294.

30 [Markus von Weida] *Ein nutzliche lere und underweysunge, wye un.*[*d*] *was der mensch bethen solle und sond.*[*er*]*lich.*[*en*] *außlegunge.*[*n*] *des heylgen vater unßers, durch eynen bruder prediger ordens tzu Leyptzk geprediget unnd vordeutzscht*, Leipzig: Melchior Lotter the Elder, 1502 (VD 16 M 957). See also Döring.

31 See Werl, Sidonia; Reichel, 8; also the source quote in ABKG, Vol. 1, XXV, n. 1.

32 Duchess Barbara's letter to Markus von Weida, Dresden, 1. October 1514. The letter, from her own hand, is printed on fol. 1v in Weida's text. See Markus von Weida, *Der Spiegel hochloblicher bruderschafft des Rosenkrantz Marie, der allerreinsten jungfrawen* […], Leipzig:

The pedagogical goals of pious literature mentioned here, including the encouragement of Christian education and pious practices by the laity, were completely in line with Duke George's church politics. They addressed the reform concepts developed in late medieval devotional theology as well as by humanistic reformers.[33] Therefore, it seemed quite logical in 1515/16 for George's court chaplain, Hieronymus Emser, to publish two editions of the *Enchiridion militis christiani*, the famous program for "humanistic" piety. This was also the first independent edition of the "Handbook" printed in German.[34]

This project elegantly combined two motifs. On the personal level, Emser's elaborately designed edition was a homage to the famous humanist. From this point on, Emser and Duke George were in correspondence with Erasmus, soon inviting him to a teaching visit at the University of Leipzig.[35] On the content level, however, there was more to it than just flattery; there were more appropriate texts. As was made clear by the title chosen by Emser, it was Erasmus's plea for the reform of lay piety that prompted interest in Saxony.[36]

The pious literature printed in Leipzig on the eve of the Reformation was a statement of reform in tune with public demand. It is striking that the books of piety sponsored by Princesses Zedena and Barbara were printed exclusively in German, while more academic works, such as Dungersheim's treatise, were commissioned by Duke George and printed in Latin. An obvious supposition might be that the duchesses could only read German, but that was not true. It is well known that Zedena understood Latin, and there is even a letter written in Latin by Barbara that has been passed down.[37] Perhaps a more subtle distinction can be found in the conventions of the times. The printing of the *Vita Bennonis* by Hieronymus Emser shows a similar pattern. While the original 1512 version in Latin is dedicated to Duke George as sponsor, the German

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Melchior Lotter the Elder, 1515 (VD 16 M 962). The text has also been printed in a modern edition. See Lee.

33 See ch. 12, section 1.

34 About the *Enchiridion* and its Leipzig edition, see p. 91 f. and 360 f.

35 See p. 577 with n. 90.

36 See p. 360 f.

37 About Zedena, see Werl, Sidonia, 15; about Barbara, see Duchess Barbara's letter to Bishop Erasmus of Cammin, [1522/23], loc. 8994/8, fol. 72v–73r. The letter that "*Barbara dei gratia nata ex regibus Polonie*" wrote was part of a petition campaign in support of Duke George's efforts to canonize Benno of Meissen. While this might put her personal authorship in doubt, it is nevertheless a hint to her command of Latin, assuming that she would not sign a text that she could not understand. Actually, one could have also written to the German bishop, Erasmus von Manteuffel, in German as was typical of Duke George's correspondence with bishops. See Volkmar, *Heiligenerhebung Bennos*, 96 f.

translation which appeared five years later is dedicated to Duchess Barbara.[38] There is a conceptual difference between the two texts; while the Latin printing emphasizes scholarly, religious and humanistic elements, the shorter German translation is directed toward a broader audience of laymen. In Emser's words, it should "bring the entire country to religious joy and devotion."[39]

Beyond the dimension of personal relationships, the dedication to a duke or duchess can also be read as code for the various recipient groups in the pre-Reformation public sphere.[40] Therefore, one can understand why Emser did not dedicate his translation of the famous anti-Lutheran text *Assertio septem sacramentorum* to Duke George, who commissioned it, but rather to his wife, Barbara.[41]

If one acknowledges that conventions for such dedications did indeed exist, and that they determined which texts were appropriate for whom,[42] and even who might sponsor certain texts, it implies a whole new perspective on Leipzig's pious literature. The program of publications in the vernacular by Duchesses Zedena and Barbara no longer seems to have been an isolated private initiative, but rather a suitable form for presenting projects related to the duke's church politics. This is not to deny the personal participation of both duchesses, but from a contemporary perspective, one is able to see the political activities of the duke at work in the background. Certainly the case of the Emser translation indicates a conscious exploitation of the duchess's name. Together, the Latin publications commissioned by George plus the texts printed in German by Zedena and Barbara describe the spectrum of ducal support for publishing in the pre-Reformation public sphere.

4 Duke George's Propaganda

The best example of how the duke used printing presses to implement his church politics is found in the case of the canonization of Benno of Meissen.

38 See Hieronymus Emser, *Divi Bennonis Misnensis quondam episcopi vita* [...], Leipzig: Melchior Lotter the Elder 1512, 2° (VD 16 E 1117), a microfiche edition: Köhler, *Flugschriften*, no. 997, fol. A IIr; id., *Das heilig leben vnd legend des seligen Vatters Bennonis weylund Bischoffen tzu Meyssen: gemacht vnd in das tewtsch gebracht: durch Jeronymum Emser*, Leipzig: Melchior Lotter the Elder, 1517, 4° (VD 16 E 1118), fol. A Ib–A IIa.

39 Emser, *Heilig leben und legend*, 1517 (like n. 38), fol. A IIr.

40 See Volkmar, "Druckkunst."

41 See Smolinsky, *Alveldt und Emser*, 40.

42 See in general Schottenloher.

Throughout the canonization process, which was driven by Duke George, six publications were released. They included Latin and German versions of the life of the saint, two process summaries addressed to the pope, and two printings of the papal canonization bull. All of them were written at the initiative of Duke George and his officials.[43]

The publications were directly related to the various steps of the canonization process. Furthermore, they were tailored to specific individuals and groups that became important at different phases of the procedure. The first summary, released in 1505,[44] was written as a humanist elegy to win over the newly elected Pope Julius II for the canonization (the effort was unsuccessful). Emser's *Vita Bennonis* of 1512 was a response to the formal requirements of the papal proceedings, and at the same time it was also meant to inspire support from the educated wealthy elites of the empire and the curia.[45] By comparison, the 1517 German edition of the *Vita* was aimed at a broad popularization of the cult[46] in order to reinforce the campaign with public support.[47] The 1521 summary by Johannes Hennig, George's procurator in Rome, was an attempt to directly influence the consistory.[48] Finally, printed as a large poster and distributed throughout the empire, the canonization bull was used to publicize the feast of the elevation of the new saint on June 16, 1524.[49]

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43 About the following, see extensively Volkmar, *Heiligenerhebung Bennos*, 69–107, 125–152; id., "Druckkunst."

44 See [Hieronymus Emser] *Epitome ad sanctissimum dominum nostrum papam Julium secundum super vita, miraculis et testimonia divi patris Bennonis episcopi quondam insignis et ingenue ecclesie Missnensis*, [Leipzig: Melchior Lotter the Elder], 1505 (copies used: UBL, Off. Lips. Lo. 99/7, Off. Lips. Unbekannt 12, Poet. Lat. rec. 75).

45 See Emser, *Divi Bennonis vita*, 1512 (like n. 38).

46 See above, section 3.

47 "To help move along Benno's canonization and exaltation (which is now at hand and is worked upon and solicited daily at the Holy See in Rome)." Emser, *Heilig leben und legend*, 1517 (like n. 38), fol. E Vr.

48 See Hennig, *Vita beati Bennonis*, 1521 (like n. 21).

49 See Bishop Johann VII of Meissen's broadsheet, *Joannes dei et apostolice sedis gracia sancte et ingenue Misnensis eccl.*[*es*]*ie episcop.*[*us*] [...] *Adrianus episcopus, seruus seruorum dei* [...] *Excelsus dominus* [...], [Leipzig: Melchior Lotter the Elder, 1523/24] (copy used: loc. 8994/8, after fol. 94). The broadsheet is a summary taken from the more extensive pamphlet: [Bishop Johann VII of Meissen] *Bulla sanctissimi domini domini Adriani sexti: pontifi cis maximi: super canonisatione sancti patris Bennonis* [...] *Adiuncta nova hystoria de eiusdem festo per chorum et diocesim Misnensem servanda*, [Leipzig: Melchior Lotter the Elder, 1523/24] (VD 16 K 318). For a bibliographical description of both editions, see Volkmar, "Druckkunst."

These publications were released as an integral part of the effort to have Benno canonized, a central goal of Duke George's church politics. It is a clear example of how a pre-Reformation ruler used propaganda in the form of printed pamphlets to help achieve his objectives.

The duke, however, was not limited to only this new technique. To exert influence over the public, he also resorted to other common forms of communication, including spoken announcements and the posting of mandates. While some of these notices were also printed, the process itself was an older one.[50] In 1498, after the introduction of the Observance in Leipzig's Franciscan monastery, George felt impugned by defecting members of the convent and issued a defense in the form of a mandate from his chancery. Because the Conventuals had sent out a threatening letter to the Leipzig citizenry, George had the edict publicly read and then posted on church doors. It defended his implementation of the Observance as a reform measure for the common good, and made a plea to the Leipzig populace for support.[51]

To propagate the prince's mandates for reform of the laity, verbal public pronouncements were also used in combination with the posting of printed posters on church doors and town halls. Along with the Albertine and Ernestine joint mandate against blasphemy and drunkenness of 1513, the Ernestine archive contains a printed text with instructions to officials that describes how it should be distributed: "You will order this to be read in a public assembly to everyone under your authority so that all receive the information and are secure from harm and punishment and can protect themselves."[52] This was the standard mode of pronouncing secular laws. It was similar to the publication of coin mandates as "openly posted letters" and to the instructions for public announcements and the posting of law codes.[53] Municipal authorities

50 See Honemann, "Vorformen."

51 See Duke Albrecht's edict, Dresden, December 19, 1498, CDS, II, Vol. 10, 288–290; Duke George's accompanying edict of December 22, 1498, ibid., 288, n. 1. About the content, see ch. 10, section 3 and see Volkmar, "Druckkunst."

52 Notice for a joint mandate with Duke George by Elector Friedrich and Duke Johann the Elder. [June 1513], ThürHStA Weimar, reg. Rr, 353, no. 104, fol 1. The previously available examples of Albertine notices archived in the SächsHStA Dresden can no longer be located. See p. 410, n. c).

53 Printed notices of Duke George's coin mandate, Leipzig, April 30, 1515, loc. 14954 mandate collection, fascicle "1515," Notice of a printed mandate by Elector Friedrich, Duke Johann the Elder, and Duke George regarding breach of the peace, Leipzig, October 11, 1512, ibid., fascicle "1512." See also Richter, *Landesordnungen*, 18 f. and 113.—For Duke George's tax notice of January 14, 1515 (ibid., fascicle "1515") a note about the request for 40 printed copies has survived, "40 of these notices should be printed." A printing from the previous year

used the same methods, such as the Annaberg town council, when in 1519 it requested that the bishops and prelates put up "announcement notices" to advertise the jubilee indulgence.[54]

Whatever credit the duke attributed to printing for the public discussion of his church politics, the reverse can be also observed with regard to censorship. It was not until the Edict of Worms in 1521 that the princes were given accountability in this area. While bishops and theological faculties were commissioned to pre-censor new books before they appeared in print, all Estates were made responsible for enforcing the ban on Luther's texts.[55] Even prior to this, secular princes such as Duke George had collaborated with the bishops on this matter.

During the Freiberg "butter letter" dispute, critics of the dispensation campaign supported by Duke George also published a pamphlet in Leipzig.[56] The author, Dr. Johannes von Breitenbach, was the ordinary of the Leipzig law faculty and well regarded by Duke George; however, he went too far in the pamphlet by being highly critical of the pope. The duke and the bishop reacted immediately. On June 30, 1492, Bishop Thilo wrote to the duke, "that we should destroy and ban the printed text by Dr. Breitenbach that mocked the papal bull." At the same time, he asked the duke what he should do about the printer's request for recompense.[57] Apparently, the enormous edition of 5,000 copies had not been prepaid because the printer had speculated that he might turn a high profit from the conflict. Unfortunately, there is no record of George's decision on the matter.[58] As part of university reform, George issued censorship regulations in 1511 to members of the Leipzig alma mater.[59] Martin Luther was soon to feel the effects of the duke's growing familiarity with the instrument of censorship.[60]

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was used as a template with changes to the handwriting and a new date: January 14, 1515. About the edition size, see Eisermann, "Auflagenhöhen."

54 See Wolf, "Kirchliches Leben," 73 f.

55 See Kaiser Karl V's edict, Worms, May 8, 1521, RTA, JR, Vol. 2, 640–659, here 656–658; See also Kohnle, "Wormser Edikt," 288 f.; Hasse, 24 (However, Hasse's interpretation of the "ordinaries" mentioned in the edict as secular authorities is questionable).

56 See p. 392 f.

57 Bishop Thilo of Merseburg's letter to Duke George, Merseburg, June 30, 1492, loc. 9026/2, fol. 1 f.

58 Only George's announcement of a decision has survived. See Duke George's letter to Bishop Thilo of Merseburg, Dresden, July 3, 1492, ibid., fol. 3.

59 See Gess, "Leipzig und Wittenberg," 69, with n. 43.

60 See ch. 15, section 3, and ch. 23, section 2.

The Wettins also understood the crucial importance of representation to premodern rulers.[61] Many different forms of media in word and image, from monuments to coins, were used to symbolize the activities of the princes and their officials. With church politics in mind, Duke George's first choice was to use impressive architecture such as the Meissen Cathedral (his own burial chapel and Benno's tomb), the Georgenbau of the Dresden palace and the parish church in Annaberg, as well as other image media such as medallions.[62]

Pre-Reformation printing expanded the duke's self-image into a new medium.[63] Duke George is depicted as a pious and orthodox patron, but also as a self-confident reformer of the church. The most conspicuous example of this is the title page of the *Vita Bennonis*. Both editions are adorned with a woodcut showing the saint's tomb in the Meissen cathedral featuring prominently placed figures of the ruler and his wife. George and Barbara are shown praying, and the prince is holding a rosary in his hands.[64] In the context of the *Vita Bennonis*, the emphasis on the duke's piety reflects his role as a promoter of lay piety, a reminder of his efforts to foster the veneration for one of the most popular saint cults in the land. The dedication in Emser's Latin edition expands this idea to a portrayal of George as a supporter of the entirety of the church within his territory.[65] If one accepts Emser's version of Benno as a

61 See Streich, *Hof*, 468–520; Rogge, "Praxis."

62 See p. 86–93 and p. 379–384 (about Annaberg) and ch. 8, section 4 (about Meissen).—A study about Duke George's commemorative coins is in preparation by Prof. Dr. Enno Bünz, Leipzig.

63 For the well-known example of King Maximilian, see Eisermann, "Imperial Representation" (with extensive bibliography).

64 See Emser, *Divi Bennonis vita*, 1512 (like n. 38), fol. A Ir; id., *Heilig leben und legend*, 1517 (like n. 38), fol. A Ir.

65 Emser cites the renown of prior princes from the house of Meissen for their dedication to building and furnishing churches and monasteries. Continuing, he gives credit to the current rulers, Elector Friedrich, Archbishop Ernst and Duke George (but not Duke Heinrich) for their similar activities, giving as examples the castle church in Wittenberg, the residence church in Halle (probably referring to the Mary Magdalene chapel at castle Moritzburg) and the recently completed Franciscan monastery at Annaberg. "*Testantur hoc, non solum veterum Misnae principum tot monimenta* [*sic!*] *per Saxoniam, Thuringiam ac Misnam, hic ide adiacentium utriusque sexus monasteriorum ac sacrarum edium, verum hac nostra etiam aetate Ernesti Magdenburgensis archantistitis ac Friderici electoris Hallensis ac Wittenburgensis humanum prope igenium excedentes ecclesiae, quibus nihil deesse passi sunt, optimi principes, quod vel ad summum domus dei ornatum, vel ad ministrorum ipsorum usum desiderari queat, nec tuae* [= *Duke George's*] *etiam celsitudinis*

reforming bishop, it is possible to interpret George's commitment to Benno as a plea for church reform.[66]

George's image as a church reformer was also established—although not in printed form—by his public involvement in the controversy with the Franciscan monks in Leipzig. It was also emphasized by his mandate for reform of the laity, and in particular by his draft law code of 1498.[67] Related to the Saxon ruler's enthusiasm for reform, one should also mention the Latin and German printings of the papal invitation to the Fifth Lateran Council that were published at Leipzig in 1511/12.[68] Prior to the Reformation, Duke George's orthodoxy as a *princeps catholice* was also expressed by the theologian Dungersheim in his foreword to the *Confutatio apologetici* in which he stressed George's vigilance against the Hussites.[69]

Finally, the concept of the pious prince was especially highlighted in one of the propaganda pieces printed during the Frisian war. The official pamphlet, "How the assault on Addingedam was executed," describes the bloody conquest of the city on August 5, 1514. During the attack, George's mercenaries had killed most of the town's male population with a reported 1,200 casualties. The official pamphlet, based on a letter by the military chaplain Wolfgang Gulden, did not hold back on the gruesome details. At its core, however, was a dramatization of the victorious commander. Duke George was described as a pious prince whose "heart was touched" as he gazed upon the suffering. He was then comforted when informed that all of those who had died had made their confessions shortly before their deaths. The duke was also consoled by the signs of holy providence, which "showed that the city had been destined to suffer such an ordeal." Finally, he vowed to establish a pious endowment in Meissen to commemorate the fallen and the day of the battle, which was also the feast day

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devotus erga deum animus, vel ex solo Fratrum Minorum conventu et coenobio illo, quod propria etiam impensa illis in civitate Montis sanctae Annae, efundo nuper extructum, maioribus indies donis ac benefi ciis cumulas, latere potest." Emser, *Divi Bennonis vita*, 1512 (like n. 38), fol. A IIr.

66 See Volkmar, *Heiligenerhebung Bennos*, 129–140, 152–156.

67 See ch. 12, section 4.

68 See p. 168 with n. 186.

69 See the quote in n. 26.

of Saint Mary of the Snows.[70] A critical echo of George's penitent self-image is found in a pamphlet printed during the Reformation in 1539.[71]

5 Conclusions

Evolving with significant help from the advent of book printing, the public sphere was an area where Duke George's church politics were already active before the Reformation. Their focus was on promoting pious literature, to propagate plans for lay reform, and to present the duke as a pious, orthodox and reform-minded ruler. The duke's use of the pre-Reformation public was not reserved just for his church politics. There were many economic techniques from secular governance under consideration; some of these were also adapted to his church politics.

The pre-Reformation public was often a construct combining various individual segments of the public sphere, but its reach was not as great as that of the Lutheran media campaigns. Nonetheless, it represents a decisive precondition for the conflicts of the Reformation era. It was not coincidental that Duke George and the circle of Albertine theologians he backed quickly became the most important public voices to oppose Luther. The Albertine's clear understanding of the role of public communication and his use of available resources were critical, including Leipzig's printing industry, the university, and his own personnel. In short, his experiences with the pre-Reformation public made possible the early Catholic campaign against the Wittenberg Reformation.

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70 *Wie der Storm zum Tham in Frieslant ergangen ist*, [Leipzig: Martin Landsberg 1514] (VD 16 ZV 24146), reprint: [Nürnberg: Jobst Gutknecht, 1514] (VD 16 W 2527), edited according to the reprint: Möncke, 59–61. My thanks to Dr. Gisela Möncke in Munich for information regarding the first Leipzig printing.—About the endowment for the feast day of Saint Mary of the Snows, see p. 444 f.

71 The pamphlet that was published after Duke George's death polemized against Catholic piety in Albertine Saxony. A connection was drawn between the founding of the Königstein monastery in 1516 and George's regret about the massacre at Appingedam. "The Königstein is a high castle […], upon which a monastery was established in which a good many monks from Oybin were placed. They should pray to God for their patron—whom I will not name—who sinned in Frisia, at the city of Appingedam." Günter Straus, *Warhafftige newe zeitung von dem abgot zu Meissen, und seinem nachbarn, dem schwartzen hergott zu Dresden*, Zwickau: Wolfgang Meyerpeck, 1539, edited: Magazin der Sächsischen Geschichte 1 (1784), 20–29. About the background of the monastery's founding, see ch. 10, section 1.

CHAPTER 14

Summary and Discussion

1 Territorial Governance of the Church in Saxony

1.1 *Functioning*

Thus far, an important result of this study has been to confirm the existence of territorial governance over the pre-Reformation church in Albertine Saxony. The duke's dominant relationship to the church was more extensive, more binding and more intense than any other authoritative influence. Seen from the perspective of structural history, the role of princes in the territorial churches of the Reformation was the direct continuation of a late medieval development. Here, there is no discernable break between the Middle Ages and the modern era.[1]

Like other complex social practices, territorial church governance employed a number of strategies relating to various social networks. As before, this is best illustrated by specific case studies. They reveal how the basic pattern of secular involvement is similar on different levels of church politics. Because of the variety of ecclesiastical institutions, one cannot speak of a uniform relationship between the duke and *the* church within his territory. Nonetheless, in attitude and practice, the duke's administration had a tendency to generalize its relationships to the church. This makes it possible to suggest an overarching characterization of his church governance. Three clear patterns emerge: 1) it was situational in nature; 2) it was influenced by secular ruling practices; and 3) it functioned in cooperation with the clergy.

First, pre-Reformation church governance was barred from institutionalizing. It was not possible to make secular influence legally binding due to resistance by the papacy and the bishops.[2] This led to continuously new initiatives by the duke. The acceptability of ducal influence had to be constantly renewed from case to case. A number of canonical, secular, moral and religious

1 This view has been confirmed by other case studies. See Mikat, 309; Rankl, 272 f.; Stievermann, *Landesherrschaft*, 295.

2 This is perhaps the most significant difference in church governance as established in the Reformation. It was not, however, entirely beyond Duke George's vision to establish territorial institutions for church governance, as is shown by his suggestion to the pope that jurisdiction over the clergy be awarded to ecclesiastical judges of his own appointment. See ch. 11, section 2.

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patterns of legitimacy were applied in order to emphasize the duke's "princely authority."[3]

Because church governance had to be continually re-asserted in day-to-day politics, it gained an additional level of intensity from being overseen by the prince and his representatives. The label "territorial" did not just refer to social mapping; it suggested the specifically secular nature of this form of control over the church. Secular legal theories and governing practices of the emerging territorial state dominated the conception and implementation of church governance, making it difficult to draw the line between this and other aspects of the duke's territorial politics.

Not least, the intensity of Duke George's church governance indicates how well the Albertine resources, communications systems, and instruments of authority performed. It began with total control over decisions made by the court council, which was dominated by secular advisors from the lower nobility. Duke George soon put an end to the influence of scholarly advisors from the clergy and replaced them with local officials and town councilors. They were to play a key role in the gathering of information, oversight, control and execution of ducal decisions.

Eventually, church governance not only made use of territorial structures, it also transferred secular claims of authority and governing techniques over to the ecclesiastical realm. This leveled out the special privileged status of the clerical estate. It began with a secular interpretation of patronage, the control of ecclesiastical jurisdiction and the integration of the clergy into the society of territorial subjects. It continued with the implementation of secular legislative mechanisms and punishments such as arbitration, bans on clerical goods and income, and sequestration. It ended with the basic recognition of ecclesiastical legal jurisdiction and the observance and general acceptance of the *Privilegium fori*.

This did not fully negate the influence of ecclesiastical elements in church governance. Meissen canons such as Dr. Nikolaus von Heinitz and Professor Dr. Johannes Hennig, who were canonically and theologically well-versed, were also members of the duke's territorial administration along with the humanist Hieronymus Emser; however, their role and that of many abbots, procurators and university scholars was limited to the collection of information, giving counsel, and participating in arbitration and visitation commissions. At Duke George's court they were excluded from the decision-making process,[4]

3 See also below, p. 434–438.

4 Apparently, a greater role was played by university-trained clergymen employed as counselors in Wűrttemberg's monastic politics. See Stievermann, *Landesherrschaft*, 294.

with the most important players in territorial church politics being the secular court advisors and officials, and above all the prince himself.

The aspect of clerical advisors shows how critical consensus building and cooperation was to the functioning of church governance. Considering the direct threat the duke posed to their authority over the clergy and lay piety, the willingness of bishops and archdeacons to cooperate is more surprising than their occasional resistance. Indeed, the princely interventions were most explicit in their takeover of episcopal functions derived from secular legal claims asserted by the duke. This was also symptomatic for the difficult conflict between George and Johann VI of Meissen. It was less about church governance and more about competition for secular authority. In the end, it turned out to be both an exception to the rule as well as an indication of the limits of episcopal defiance.

In particular, the territorial bishops' willingness to cooperate was due to the common goal of church reform. This was especially so in pushing for stronger ecclesiastical discipline. The situation was less positive, however, when reflected in the light of power-politics. The Wettins had forced the bishops under their rule long ago. The bishops' cooperation contributed to the appearance of legitimacy in the duke's church governance. The significance George gave to good relations was exemplified by his willingness to personally arrange for prebend transactions for the bishops despite the general line of his appointment politics.

However, it was not only the leaders of local churches who the duke wished to win over, but the lower clergy in particular. Using prosopographic methods, research has given new significance to personal relationships in pre-modern society. The staying power of church governance depended on the duke's ability to command loyalty from the clergy. If pushed to decide, they would have to break with their church superiors. In such instances, the appropriate reward for fidelity to the duke could be an altar prebend or a canonry. It was even more important when a cleric accepted his role as one of the duke's subjects. While the duke could then demand obedience, it also meant a promise of protection for the cleric against counter demands from his ecclesiastical superiors.

The result was that Duke George was able to undermine the ecclesiastical hierarchy. He could force through the directives of his church politics in many conflicts, such as those with Bishop Johann VI. It must nonetheless be emphasized that the real strength of Duke George's church governance came from his ability to build consensus for his measures. One strategy was to have clerics act as agents of ducal church governance. Up through 1537, George's monastery visitations always employed mixed commissions that included clerics. In the tense area between ecclesiastical and secular legal spheres, George turned to

arbitration, once again using mixed commissions. The arbitrated judgments were unique in character because both parties had to accept the final decision without appeal. The tricky question of whether responsibility lay with secular or spiritual authority could thus be avoided.

1.2 *Legitimacy*

Like almost no other prince of his era, Duke George promoted church politics that followed the secular trend of expanding the territorial state. One must consider the powerful dynamics involved, and their timing just prior to and during the Reformation. The question arises as to his reasons for such an extensive intervention into ecclesiastical matters.

Recent research has established the fact that the relationship between the church and secular authority was never actually determined by canon law alone. Nonetheless, this was exactly the claim made by the church. Taking a side in the argument, the church meticulously used canon law to write its agenda. However, some of the rights claimed in the *Canones* had never been recognized by secular authority, and the duke's church politics swung between the two competing legal spheres. Secular law stood in opposition to canon law, similar to the institution of private churches under German law. A further example was Roman law, which viewed the church as strictly integrated within the (antique) political system. While both the secular and ecclesiastical legal spheres were considered legitimate, the extensive overlapping of the two remained a structural problem. Because there were two legal systems with separate judicial organizations, neither authority had the ability to decide a dispute that involved both legal circles. Therefore, it was constantly necessary to find a balance in their relationship through political means.[5]

Canon law had helped the *Libertas ecclesiae* movement reach its highest level of influence over the laity during the High Middle Ages. In the late medieval period, however, it was difficult for the emergence of secular church governance to find a foothold. Canon law remained a barrier against the influence of the princes, as Duke George discovered in his struggle for jurisdiction over the clergy. In the fifteenth century, the solution had been to override canon law with papal privileges for princes, but this was no longer practical by 1500. An additional problem specific to Saxony was the low number of ecclesiastical legal titles possessed by the duke—especially patronage titles.

As a consequence, Duke George's church governance was not able to develop in sync with canon law, but rather in spite of it. This became even more apparent when Albertine church politics asserted themselves in areas such as

5 See ch. 3, section 4.

lay piety, where canon law had not anticipated the effects of secular influence. George's interest in ecclesiastical legal titles for establishing his church governance was minimal. This was impressively demonstrated by his decision not to seek permission for monastery visitations through papal privileges. Otherwise, the use of canon law became a regular routine in the duke's politics, and he employed it to justify his actions at every opportunity.[6]

All the same, ecclesiastical legal titles were of great interest to the duke's church governance. They were similar to antiquated houses with grand old facades where the canon law content inside had been stripped out and rebuilt with new secular legal structures. George's self-appointed role as "supreme collator" over the lower clergy worked that way. Referencing the old policies of private churches, patronage was converted into a feudal arrangement between the patron (under canon law, the "collator") and the holder of the prebend. This "ecclesiastical fief" could then be placed under the duke's feudal domain. The result was a new hybrid secular/ecclesiastical legal title which the "supreme collator" deemed to be legitimate.

In the case of stewardships over monasteries, canonical legal titles had already been converted in the thirteenth and fourteenth centuries. Instead of using the individual stewardships held by the duke, territorial governance claimed a general right of protection. The result was monasteries being integrated into the territorial state. In this leveling politics by the duke, monasteries for which the Wettins had never possessed legal titles sometimes came under his control. In his role as "guardian and territorial prince,"[7] Duke George added still more elements to his church governance, such as the independent authority to order visitations of monasteries.

However, large parts of the duke's day-to-day church politics lay outside the ecclesiastical legal sphere. To a great extent, secular concepts determined the practices of church governance. Territorial rule (in source language, "princely authority" (*fürstliche oberkeit*)[8]) ran like a scarlet thread through all the approaches to legitimizing control over the local church. More often than not,

6 Examples include: occupancy and prepend politics; legal advice by canon lawyers (in the case of Rőtha's cult of St. Mary); or the occasional request to ecclesiastical and papal courts. Furthermore, arguments of canon law played a certain role in confrontations with the ecclesiastical court system.

7 Duke George's instructions for Dr. Donat Groß, Dr. [Dietrich von] Werthern and Volkmar Koller as participants in the visitation of Pforte monastery on October 16, 1516, ABKG, Vol. 1, XLI, n. 1.

8 For source material see p. 35, n. 51 f.

however, these claims are not confirmed in charters. Uncodified common law was combining with increasingly intensified princely rule.[9]

The notion that princely authority was the basis for legitimacy is found in all areas of his church politics. It appears to have been the universal justification used to oppose the local church hierarchy from vicars to bishops and was applied even if specific legal titles existed. The usual formulations were "we, the territorial prince and supreme collator," or "we, as patron and territorial prince."[10] The substance of ducal authority was only rarely specified. This follows the logic that the strength of this kind of governance came from its vagueness—the perfect cloak for a new, intensified form of rule. Undoubtedly, the stamp of "princely authority" was intended to level the playing field, occasionally with fictitious claims. An example is Duke George's assertion that the bishop's church in Meissen "was founded by our forefathers."[11] On the one hand, it is telling that the duke was able to get obedience merely by emphasizing his superior position. Without his strong seat of power, it is impossible to imagine his church governance to work. On the other hand, keeping his legal standing somewhat unclear prevented contradiction from the church and created a grey zone to practice politics between the two spheres. In the end, unchallenged claims quickly transformed into customary law.

Aside from the assertions of territorial rule, research has also discussed the importance of other sources. The popular "two kingdoms doctrine" was used to bolster the secular position in Saxon law codes and to counter the failures of ecclesiastical disciplinary authority. It was later to play an important role for Martin Luther. There is, however, no evidence in the case of Duke George that princely church politics were derived from Roman law, such as discussed by Justus Hashagen and Gerda Koller.[12] The same goes for the assumption of kingly *Advocatia ecclesiae*, although this legal title, which declared the Emperor to

9 See Stievermann, *Landesherrschaft*, 29–39.

10 Duke George's letter to Bishop Johann VII of Meissen in Rome, Dresden, January 4, 1523, ABKG, Vol. 1, 421–425; George's instructions, 1516 (like n. 7).

11 Letter from Elector Ernst and Duke Albrecht to Melchior of Meckau, Dresden, January 19, 1473, CDS, II, Vol. 3, 220 f. About the further development of Duke George's claim to authority, see ch. 8, section 4. – About fictional rights, see also Hashagen, *Staat und Kirche*, 441–450; Priebatsch, Vol. 20, 344.

12 Neither Justus Hashagen nor Gerda Koller can provide solid evidence for this. See Hashagen, *Staat und Kirche*, 450–454; Koller, 43. Legal history research is sceptical about the direct influence that Roman law might have had on the development of princely governance. Instead, it sees more of a secondary effect, such as ducal advisors trained in Roman law. See Sellin, 393–492; Kroeschell; Willoweit, *Rechtsgrundlagen*.

be patron of the imperial church, was somewhat familiar to the duke's concept of church politics.[13]

Finally, in some of the duke's attempts at legitimization, one can observe a tendency to detach the entire argument from the question of legal titles. Instead of trying to prove the legality of his actions, Duke George sought to justify his interventions based on their goals. Hints of abuse in a monastery or neglect in conducting church services were ample justifications for the duke to get involved. Instead of legal arguments, political and moral ones were employed. A general consensus for the necessity of church reform was as important as the prince's patriarchal sense of responsibility for his subjects and their souls. The question as to whether or not he had authorization to conduct a monastery visitation or sanction a priest faded into the background.

In such cases, George was eager to respond to his subjects' complaints and to intervene on their behalf. It was another approach to legitimacy—not by claiming authority over the clergy and the church, but through a legal responsibility to protect his subjects. "We are obligated to lead the poor innocent people away from this unchristian burden," was his reason to act against an interdict over the village of Zschaitz.[14] In this way, questions about the legal relationship between the duke and the church were easily circumvented.

The legitimacy of princely church politics rested on both the reworking of ecclesiastical legal titles and the imposition of secular authority upon the church. The result was a barely systematic "variety of authentic and subsidiary legal titles."[15] Moral and religious justifications that emphasized the duke's lofty aims masked a severe lack of legitimacy. All of this supported church politics in which the balance increasingly shifted from ecclesiastical to secular power. Instead of being argued before a court of law, legitimacy was tested in the day-to-day business of politics. Often enough, it was necessary to legitimize (after the fact) that which was already in practice.[16] For example, George would sometimes attempt to get ecclesiastical authorities to retroactively agree to some of his measures. A lack of legitimacy no longer stood in the way

13 Significantly, it appears as though Duke George never exercised a legal claim to the title of church bailiff. By comparison, Kaiser Karl V called himself "the Roman Caesar, highest bailiff and guardian of the Holy Roman Church." Kaiser Karl V's letter, Augsburg, August 13, 1550, Reinhard, *Meditationes*, 248 f. By contrast, Rudolf Zieschang suggests that the duke's position was adopted from royal *advocatia*. See Koller, 40, 55; Schulze, *Fürsten*, 139–142; Zieschang, 11 f.

14 Duke George's letter to the judicial vicar at Stolpen, Dresden, June 5, 1509, cop. 110, f. 158v.

15 Rankl, 272.

16 This is also the assessment by Mikat, 309; Stievermann, *Landesherrschaft*, 29–39.

of princely authority; therefore, the strength of the duke's arguments was less important than his efforts to obstruct ecclesiastical resistance, following the principle "no plaintiff, no judge." Consensus building is shown here to have been the core strategy of church governance.

1.3 *Church Governance and Territorial Rule*

In the balance of power between the prince and the church, it appears that church governance was closely tied to secular rule. At first glance, this seems to have been an epiphenomenon in pre-Reformation Saxony during the formation of the Early Modern territorial state. A second look, however, reveals that church governance and ducal rule had a much more complex and sometimes dialectical relationship.

Most obviously, strong princely rule was a prerequisite for the development of church governance. The Wettins' power base made it possible to mediatize the local churches, the large wealthy monasteries and even imperial bishops. The duke was also able to integrate the lower clergy into the unified society of his subjects. Once under territorial rule, the clergy were bound to the duke's church governance with its considerable resources for reform. With the power question settled, relatively relaxed cooperation between the prince and local church hierarchies followed. However, once in the field of ecclesiastical jurisdiction, the duke's efforts became limited.

Furthermore, his church politics were never completely implemented, either in their methods or goals. Because the church was a privileged institution with its own legal structures, the demands of princely church governance could often be resolved through indirect methods of consensual agreement.

Above all, church governance actually supported ducal rule by establishing official relationships at all levels of the church's organization. Rights of patronage and stewardships over monasteries were of special interest since they offered the potential to territorialize the prince's authority. The assertion of legal titles was sometimes even more important than their actual content. The duke would refer to them in order to claim control over the various institutions of the local church, using them as political tools for creating new governing relationships. The sheer number of affiliations eventually blended together into a new form of territorial rule. Old legal titles and the contemporary position of power were combined to increasingly blur the lines of distinction, while no one dared to raise objections any more.[17]

There was a certain level of dialectic to the claim of "princely authority" in church affairs. The strongest argument for church governance was the duke's

17 See Werminghoff, 89; Stievermann, *Landesherrschaft*, 26–39, 144–158, quote 26.

position as ruler of the territory. On the other hand, taking responsibility for the church and the salvation of his subjects' souls gave legitimacy to his claims. Dietmar Willoweit agrees "that since the early fourteenth century, the princes began to gradually fulfill this ecclesiastical dimension. They took the step from raw accumulation of power to religiously and morally legitimized statehood, which accelerated until the end of the fifteenth century."[18] Especially in light of the two kingdoms doctrine, state building and church reform were closely linked.[19]

This raises the question as to the motives of the prince's church politics. To a great degree, they were driven by the wish to expand ducal rule, for instance by limiting ecclesiastical jurisdiction. For what Peter Moraw has called the "designed intensification" (*gestaltete Verdichtung*) of governance, it was absolutely necessary to establish princely jurisdiction. In the case of Duke George, however, his church politics were not just about secular hunger for power. Unfair ("un-Christian") excommunications truly made him angry, and there was genuine religious motivation behind his tireless push to fulfill the spiritual needs of his subjects. In the draft law code of 1498 and his monastery politics, both motivations were present and inseparable.[20]

Justus Hashagen believes that the meshing of religious and secular themes created a tension-filled relationship between the ecclesiastical and secular spheres.[21] One must ask, however, if this perception of tension might be a reflection of the modern researcher's sensibilities. Is the (enlightened) separation of secular reality from private religious faith an imperative? It would be ahistorical to project such a view onto an era that had exactly the opposite outlook. According to the two kingdoms doctrine, the syncretism of ecclesiastical and secular spheres was clearly an integral part of the medieval worldview. Harmony was achieved by searching for the identity of a holy and political world order that mixed ecclesiastical and secular power. In George's church politics, religious and secular themes were apparently quite compatible. Neither tense relationships nor political cynicism are indicated by the sources.

18 Willoweit, "Landesherrschaft," 130.

19 These thoughts are in line with Berndt Hamm's concept of "the focusing of norms (*Normative Zentrierung*)." See Hamm, "Prozess," especially here 70 f.; About the two kingdoms doctrine, see Mantey. – The relationship between the religious responsibility of the ruler and the legitimacy of the territorial state became much clearer during the Reformation. See Reinhard, "Power Elites," 12; id., "Zwang zur Konfessionalisierung."

20 Research discussions reflect the blending of religious and secular perspectives when considering the law code, policy, social discipline, and the church reform debate. However, if such a discussion tends more toward legalities, it will miss the point. See ch. 12, section 4.

21 Hashagen, *Staat und Kirche*, 566–568, quote 567.

1.4 *The Territory as a Frame of Reference for the Local Church?*

Establishing spatial references for social realities of the late Middle Ages is not a trivial matter; for example, they can be used as an approach to measuring development in the outreach of governance. The personal components of governing relationships that were so important during the Middle Ages lost their dominant position in the transition to the Modern Period. Along with governing certain groups of people, the idea of rule over spatial areas marked by borders took hold. With regard to late medieval princes, this development is referred to as territorializing. In Central Germany, the interconnection between space and governance intensified at the close of the Middle Ages. This can be shown by the gradually expanded use of the name "Saxony." Deriving from the electorate that the Wettins' acquired in 1423, the name Saxony gradually came into usage for all areas under their rule. For the areas marked by intensified governance, the source term "territory" (*Land*) became prominent, although it also had other connotations. Duke George consistently referred to himself as a "territorial prince." The unification and equalizing of older governing relationships was an important step towards the creation of a spatially defined territorial state.[22]

In the previous section, the contributions of church governance to the development of the territorial state were discussed. Conversely, the question is, whether and to what degree did the territorializing of secular governance have an effect on church politics? When one considers the shift from the universal church of the Middle Ages to the new territorial churches of the Early Modern Era, a significant divergence becomes apparent. Instead of the European framework of dioceses and provinces, the territorial churches of the Reformation were defined by geographical areas under administrative control by a secular prince.

The question is, how much of this change had already been achieved by late medieval territorial church governance? In his Württemberg example, Dieter Stievermann describes "the internal transformation of territory into a relatively independent ecclesiastical entity." Further, he believes that "the territorial structure used as a pattern for ecclesiastical order had been substantially predetermined during the late Middle Ages." He sees the development of territorial churches as a continuing process that climaxed during the Reformation, but one that had begun long before.[23] Apparently, the pre-Reformation situation marked a juncture in development—at least in the larger territories. There are

22 See also ch. 2, section 2.

23 See Stievermann, *Landesherrschaft*, 144–158, quotes 145, 295.

therefore two aspects to analyze: 1) territory as a reference for the local church; and 2) the church as an organization within a territory.

The perception of territory as a frame of reference is a fundamental tenet of Saxon church politics. For Duke George, church governance and church reform were always directly connected to territory as the defining element of his political influence. This was explicit in programs such as his governance of the lower clergy in 1523, the control of indulgences within his territories, and the requirement of "daily prayer throughout the territory" in his law code drafts of 1498.[24] Even the pope supported this perception. Privileges for monastic reform were awarded to princes, although bishops and prelates were appointed as visitators. However, the jurisdiction for such activities was not based on diocese demarcations, but was instead defined by territory. Even the pope established jurisdiction for the Freiberg fasting indulgence of 1492 based on the Albertines' duchy.[25]

However, the personal aspects of governance were not completely supplanted by territorial parameters. George's supplication of 1523 combined both aspects, as he requested a general fasting indulgence for all of his "subjects and residents of our principality, territory and domain; including all of our ecclesiastical and secular estates; whether high or low, male or female."[26] The regard for territory and subjects as parallel frames of reference for church politics was also held by others, such as Elector Albrecht Achilles of Brandenburg.[27]

Territorial occasions give us a more exact view of the duke's vision for the territorial church. Under this heading, official requirements for commemorations, thanksgiving services, intercessions and processions were sent to a large number of churches. Princely demands for occasional services such as these were common in many areas toward the end of the Middle Ages.[28] Depending on the circumstances, individual institutions could receive specific orders, such as the cathedral chapter in Meissen, the Altzelle monastery or perhaps the churches within a specific city.[29] In especially important cases, such commands might extend across several territories.

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24 Draft of a common Wettin law code [prior to July 9, 1498], Burkhardt, *Landtagsakten*, 35–40.

25 See ch. 4, section 4 and p. 386, n. 141.

26 Duke George's letter to Johann VII, 1523 (like n. 11), 422.

27 See ch. 3, section 2.

28 See Ludolphy, *Friedrich* 381; Streich, *Hof*, 482–487; Priebatsch, Vol. 19, 399, 426, Vol. 20, 344; Redlich, *Kirchenpolitik*, Vol. 1, 102*

29 See the letter from Duke George's governor to the abbot at Altzelle, the Meissen cathedral chapter, the municipal councils of Freiberg and Meissen, Dresden, July 23, 1495, cop. 105, fol. 187v; Duke George's letter to the bailiff at Annaberg, [Dresden] December 9, 1508, cop.

A good example is the commemoration of Maximilian I on January 29, 1519. Two weeks after the Emperor's death, Duke George sent out a widely distributed notice concerning the Albertine tributes to his memory. The churches were required "with all of your clergy, to hold vigils, masses, and splendid assemblies to celebrate his majesty the Kaiser like a true Roman Caesar." The list of recipients gives a comprehensive picture of the entire church within the territory with some notable exceptions. Topping the list are the bishops of Meissen and Merseburg, followed by ten abbots and nineteen further heads of monasteries. Altogether, twenty-eight cities are named.[30] The adjoining territory of Sagan is absent from the list, but more surprising is the unexpected mix of other ecclesiastical and secular institutions also missing. While the two Albertine bishops are first on the list, the other bishops with dioceses in the territory are not to be found. Likewise, the cathedral chapters, collegiate chapters and archdeaconries are also absent. The monasteries listed are nearly all rural and include no urban convents. It is possible that the latter were to receive orders through municipal councils as a third group of addressees.[31]

Exactly how this list reflects the duke's territorial view of the church is not completely clear. It is apparent, however, that George did recognize the complex nature of the church, and that he tried to reach every form of institution. While his message was widely disseminated, it did not bring an area-wide response. For example, in order to reach the Thuringian lower clergy, it would have been necessary to first write to members of the clerical hierarchy in Mainz and Halberstadt or Erfurt. Nearly all monasteries listed were included

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110, fol. 47r. Vigils and masses were ordered for the landgravine of Hesse and for Count Heinrich of Stolberg respectively.

30 Duke George's notice to the prelates and cities, Dresden, January 29, 1519, loc. 9933/11, fol. 3; the distribution list for the notice, ibid., fol. 1 f. Listed in this order were: the bishops of Meissen and Merseburg; the abbots of Altzelle, Chemnitz, Pegau, Pforte, Goseck, Volkenroda, Sittichenbach, Homburg, Reinsdorf, Oldisleben; the provost at Mühlberg; the guardian of Seusslitz; the provosts at Riesa, Sornzig, Döbeln, St Afra at Meissen, Holy Cross near Meissen; the general at Grossenhain; the provosts at St Thomas in Leipzig, St George near Leipzig, Petersberg, Langendorf, Beuditz; the abbess at Weissenfels; the provosts at Memleben, Hesseler, Rohrbach, Kaltenborn and Roda as well as the cities of Pirna, Annaberg, Altenburg, Grossenhain, Oschatz, Döbeln, Mittweida, Geithain, Rochlitz, Chemnitz, Radeberg, Ortrand, Senftenberg, Leipzig, Pegau, Weissenfels, Zörbig, Freyburg, Mücheln, Laucha, Kindelbrück, Eckartsberga, Tennstedt, Sangerhausen, Weissensee, Langensalza, Thamsbrück, and Herbsleben. – About similar measures by Elector Friedrich, see Ludolphy, *Friedrich*, 349 f.

31 This conclusion can be drawn from the title of the list of addresses.

because of their importance as repositories of memorabilia from members of the Wettin dynasty.

It is possible that the unusual combination of bishops, monasteries and secular cities came from another source. The list is nearly identical to that used for the distribution of Albertine state diet and taxation notices.[32] For the duke, this meant a departure from church hierarchy; the church was now perceived to be a part of his secular structures.

These irregularities should be kept in mind when evaluating more generalized source material regarding territorial occasions. A case in point is a letter from Duchess Barbara during the Frisian military campaign of 1514. When the news of George's victory over the city of Appingedam reached Saxony, the princess ordered songs of praise and thanksgiving to be sung in "all churches and monasteries" and informed her husband that her "order was given throughout our land." Here, "land" (territory) can be clearly seen as a frame of reference for church politics, even if the specific implementation remains unclear. This was also the case when Barbara ordered further activities in praise of God, "to have a special song of St Michael and the holy angels sung in all processions throughout the land."[33]

In other instances, however, the duke would refer to the local ecclesiastical hierarchy. This usually involved the territorial bishops and most often those in the old Margraviate of Meissen. For example, in 1501 George requested the bishops of Meissen, Merseburg and Naumburg to "have all of your priests say prayers in their churches for High Master Friedrich and the German Order to triumph over the infidels in Livonia."[34] In the wet summer of 1495, the bishop of Meissen was instructed to hold processions in all of his churches to protect the harvest from thunderstorms and God's wrath.[35] Such orders could have also applied to all lower-level secular and ecclesiastical authorities. In 1512, the

32 For such notices, see Goerlitz, 560–565. Compared to the list of those invited to the territorial diet of 1499, the list of 1519 is missing the cathedral chapters of Meissen and Merseburg, the commandery of the German Order (including the provost of Zschillen) and a number of cities. The Freiberg monastery chapter is missing because it was under the rule of Duke Heinrich.

33 Duchess Barbara's letter to Duke George, August 16, 1514, loc. 8498/1, fol. 238.

34 Duke George's letter to Bishop Johann VI of Meissen, Bishop Tilo of Merseburg and Bishop Johannes III of Naumburg, October 16, 1501, cop. 107, fol. 57r.

35 Letter from Duke George's governor to Bishop Johann VI of Meissen, Dresden, June 25, 1495, cop. 105, fol. 173v.

house of Wettin issued a notice demanding military preparedness that also ordered prayers for peace to be said in all parishes throughout the territory.[36]

Clearly, the duke considered his territory to be a frame of reference for the church. While there were special occasions in which he could simply order prayers and masses to be held, the process was not always easy. Organizational issues created hindrances, diocese boundaries caused problems, and the growing differences between Albertine heartlands and periphery sometimes made complete control difficult. In spite of all changes, a common church, a "territorial church" did not yet exist in Albertine Saxony.

Another example along these lines is related to the grim fate of the Frisian city of Appingedam. After Albertine mercenaries massacred the city's residents, Duke George vowed to hold an annual celebration of the battle in Meissen's cathedral. In 1516, the holiday was inaugurated in Central Germany with an endowment of 530 florins to fund the feast day honoring Saint Mary of the Snows. The Meissen commemoration was intended to provide salvation for the funders, George and Barbara, as well as for all those who gave their lives in service to the Albertines in the Frisian campaign and the many wars waged by Duke Albrecht. Future generations were also to be involved in the memorial in a fashion similar to a modern national day of mourning.[37]

In this case, a direct territorial reference was established because Meissen's cathedral was the dynasty's burial site. George's endowment was planned as the center of a territory-wide cult. After the battle, in a letter to the bishop of Breslau, he again vowed to introduce the feast day of Saint Mary of the Snows to all the churches in his principality. Therefore, the bishop was asked to order the clergy in the Albertine territory of Sagan to hold a feast day on August 5 as a "yearly celebration."[38] One year earlier, George had already received approval

36 "It is our well-meaning request that you are hereby officially ordered to have the priests [at your monastery] under your rule and all the members of the parish hold a solemn procession, litanies, and a collection, followed by a mass singing praise to the most Holy Trinity. The congregation should also be exhorted at the same service to pray fervently to God Almighty that we, our devout subjects, our lands and our people receive his mercies. [This should also be done by all clerics in your monastery.]" Duke George's printed notice, Dresden, Sept 4, 1512, loc. 14954, mandate collection, fascicle "1512," unordered. Since the quoted example is a notice for monasteries, passages that only apply to them have been set in brackets. For an Ernestine example of this notice, see Zieschang, 88 f.

37 *Wie der Storm zum Tham in Frieslant ergangen ist* [Leipzig: Martin Landsberg 1514] (VD 16 ZV 24146), reprint: [Nuremberg: Jobst Gutknecht, 1514] (VD 16 W 2527), edited from the reprint: Möncke, 59–61; Duke George's founding deed, Dresden, March 17, 1516, CDS, II, Vol. 3, 333 f.

38 Duke George's letter to Bishop Johann V of Breslau, May 28, 1516, cop. 125, fol. 88r.

for the holiday from Cardinal Albrecht "in your archbishopric of Mainz and as far as our principality extends therein."[39] All areas within Albertine territory—and even the exclave of Sagan—were bound together in a cult that circumvented traditional diocese boundaries. Nonetheless, to institute it, George chose to go through the bishops.

While it seemed like a hint of things to come, the celebration of Saint Mary of the Snows remained an isolated case. On the eve of the Reformation, the various ecclesiastical institutions within the duke's territory were never unified, either spiritually or organizationally. Furthermore, the duke did not follow the kind of consistent politics necessary to stimulate such unity. In many public activities within the territory, the church was only represented by Meissen's institutions. This was especially so for the projects important to George's church politics, such as the construction of Annaberg's parish church and the canonization of Benno of Meissen.

This is also why there are only four religious crests among the many decorating the interior of the Annaberg church. These include the bishops of Meissen and Merseburg, the Meissen cathedral chapter, and the Abbot of Chemnitz.[40] It was also prelates from Meissen, the old heartland of the duchy, who dominated the celebrations of Benno's sainthood on June 16, 1524. Noted by both friends and enemies throughout the empire, the clergy from Thuringia and Sagan were absent from such important religious and social events. As Cardinal Albrecht's proxy, the dean of Magdeburg's cathedral happened to be a born burgrave of Leisnig and was not well-suited to represent the Thuringian clergy. This also explains why Duke George might have referred to Benno at one point as the "Meissen area's" saint and not as a saint for the entire Albertine territorial state.[41]

Finally, for dynastic occasional services, George also found the clergy from the heartland to be sufficient. At the funeral for his beloved wife Barbara in 1534, there were representatives of the nobility and cities from all parts of the territory. From the clergy, however, George invited only the bishops from Meissen and Merseburg, and the abbots from the prominent monasteries of

39 Duke George's letter to Cardinal Albrecht, August 24, 1515, ibid., fol. 10v–11r.—The fact that Cardinal Albrecht sent George a "history of this celebration" shows that the tradition had already been established in Mainz. For the history of the celebration at the Mainz court, see Hubach.

40 See p. 380 f.

41 See Volkmar, *Heiligenerhebung Bennos*, 110–115, 140–152.

Altzelle, Pforta, Chemnitz and Pegau.[42] Compared to Wűrttemberg, Albertine church politics had its weak points when it came to territorializing.

2 Church Reform

Church reform was a central political issue for Duke George, and the notion of reform was present at nearly every level of his church politics. The primary focus was on ecclesiastical jurisdiction, the lifestyles and official conduct of the lower clergy, monastic politics and reform of the laity. Reform was relegated to the background in only a few areas, for example, when a bishoprics could be secured for members of the dynasty.

The goals of reform were as varied as the many manifestations of the church in the late Middle Ages. To summarize them in a single program seems to be an illicit act. The duke's church reform was actually reform in practice. He never laid down a comprehensive theoretical concept of reform, nor thoughts about referring to sources or models.

It is especially revealing to view the duke's activities in relation to the reform discussion at the imperial level.[43] A number of connections become apparent. Albertine monastic reform was triggered by the Observant movement, while the *Vita Bennonis* was inspired by Upper Rhenish humanists drawing on Jean Gerson's ideas of an ideal bishop. The duke's criticism of pilgrimages was influenced by the reform theology of Johannes of Paltz from Erfurt and by the Christian humanism of Erasmus of Rotterdam. The latter's *Enchiridion* was printed in Leipzig to expressly emphasize this aspect. George's support of general councils reflected the old concept of a *reformatio in capite*. Indeed, the duke's thinking was deeply influenced by Conciliarism, for example, in the notion that healing the head would also cure the limbs.[44]

In its methodology, the duke's reform politics were closely linked to discussions from the fifteenth century. George's reform of the laity corresponded to

42 List of invited guests to the funeral of Duchess Barbara in Meissen, March 16, 1534, loc. 4381/12, fol. 58.

43 See also p. 38–41 and ch. 6–13, passim.

44 See Wolgast, "Reform," 322. This popular image was also used by Pope Hadrian VI in his confession of guilt at the Diet of Nuremberg in 1522. The idea could already be found in Duke George's draft statement to the Worms gravamina of 1521 (using the image of the spring and the streams, "Water in the streams tastes like the water in the spring from which they flow") and later in correspondence from the proposed Council of Mantua of 1522/34. See Gess, *Klosterreformen*, 22–26; Duke George's complaints about the clergy at the Diet of Worms [early February 1521], ABKG, Vol. 1, 150–153.

ideas of Jean Gerson, who insisted on moral renewal of the individual along with institutional reform. Clerical visionaries such as Johannes Nider and Heinrich Tocke recommended small steps at the local level along with comprehensive church reform. This was a concept familiar to George's program with its principle of case-by-case interventions.

Duke George attempted to implement late medieval approaches to church reform that were not just ideas, but also political in practice. Clearly, Catholic reform was alive and well even in the heartland of the Reformation. How these concepts took hold at the Albertine court is not always clear. The sources are largely silent on the matter. However, George did single out his Wettin forefathers as warrantors of the reform tradition with special emphasis given to Duke Wilhelm III.

Additionally, one might suppose that certain clergymen would have had special influence; however, it is difficult to establish exactly how much a man like Andreas Proles might have affected George's opinion of the Observance. It is also hard to prove whether it was really Hieronymous Emser who planted the ideas of the Upper Rhine humanists in his master's head.[45] But perhaps these are not the right questions to pursue. There was widespread awareness of the necessity for reform, and there was no dearth of concepts or disseminators. There were, however, too few concrete attempts at reform driven by political assertiveness.

To re-establish ecclesiastical norms, Albertine reforms used a common denominator. Whether setting rules for monks, the celibacy of priests or banning blasphemy, the duke consistently acted in the medieval spirit of *reformatio*. He

45 About Proles, see p. 76 f. and ch. 5, section 1. The Upper Rhine reformers Jacob Wimpfeling and Johannes Geiler von Kaysersberg placed the clergy at the heart of their reform plans. Following Jean Gerson, Wimpfeling wanted to put reform into the hands of the bishop. It would then be advanced through personal example and executive measures, such as diocesan synods and visitations. Wimpfeling's support for his friend Christoph von Utenheim, who became bishop of Basel, was exemplary. He gave a speech in 1503 about reform that recommended a diocesan synod. Geiler was skeptical as to whether the bishops were capable of reform. The comparatively low level of organization within the clergy and the bishops' insufficient disciplinary authority made ecclesiastical reform very difficult. Christian humanists were in agreement that only personal re-evaluation of the clergy could bring about lasting progress. Not only did they propagate humanistic studies, but they also advocated the clergy's moral responsibility to canon law. Priests were encouraged to resist accumulating prepends and having relations with concubines. During his studies in Basel, Hieronymus Emser was in contact with Christoph von Utenheim. In the winter of 1503/04, directly before his move to Saxony, he worked for Jakob Wimpfeling in Strasburg. See Mertens; Volkmar, *Heiligenerhebung Bennos*, 133–135.

also kept in line with the church's internal discussion by acknowledging long-established but infrequently followed rules. The source for these norms was not secular authority, but rather church tradition—specifically, canon law. As shown in the duke's mandate for reform of the laity, these norms were already well-known and considered valid.

Another principal goal of the duke's reform was to rehabilitate the church's most important functions within the existing system. This meant restoring the proper praise of God and spiritual salvation. George's reluctance to support Luther's revolution of the theological system was indicated by his selective condoning of the ninety-five theses. He felt that changes in theology and cults were matters for the pope and general councils to decide, not his own reform politics.

To achieve his objective of re-asserting the old norms, the duke's reforms relied on supervision and sanctions. George's church politics were modern and innovative in their implementation. His demands for control over the clergy and for visitation rights over monasteries were even seen as revolutionary by the church hierarchy. However, neither the pope nor the bishops supported the structural reforms that would have significantly increased George's power over the church. Every attempt at absolute control over the clergy broke down against barriers in the church's organization and canon law, and the duke was unable, and probably also unwilling, to overcome them. Seen in the context of reform and the expansion of princely authority, the situation was similar when it came to containing ecclesiastical jurisdiction. The best way forward was not through fundamental structural changes, but rather via the day-to-day practices of church governance.

The heart of ducal church reform can be found in individual interventions. *Reformatio* became the politics of small steps, or "the way of the ants," as described by Johannes Nider. Duke George's position of power, his access to local officials, and the loyalty of many clerics enabled reform successes in all areas of the church.

Ideally, when the prince cooperated with bishops and ecclesiastical judges, and punished reform-resistant clerics, this not only helped re-establish the church but also led to church discipline. This reinforced the medieval bishop's role as religious leader, minister, and visitator of the church. However, when a secular prince assumed control of reforms in Albertine Saxony, the bishop had to commit to them, as did Johann VI. Working together with secular authority could provide a solution to the bishop's position of weakness and reform failures elsewhere.

Yet another goal of ducal reform politics can be seen when taking a closer look at the laity. This was the schooling of individuals in Christian piety and

a devout lifestyle. It runs like a red line through the mandate for lay reform, Leipzig's pious literature and the criticism of pilgrimages and indulgences. It can even be found in such details as the program of Saint Anne's church. Next to traditional areas of reform such as the moral rehabilitation of the clergy and monastic discipline, the laity became an equally important target for reform in the duke's church politics.

This observation could be the key to understanding the nature of Duke George's church reform politics. His special interest in the laity was no coincidence and seems to have come from a specific impulse for timely church reform. Despite an early ecclesiastical career, George himself was a layman. At the same time, he was also a patriarchal ruler with a heightened sense of responsibility for the welfare of his subjects. Thus, the interests of the laity held a central position in his outlook. For a deeply religious prince such as Duke George, his commitment to his subjects was not limited to just this temporary earthly life; instead, it must be understood as Nikolaus von Kues put it: the purpose of social order was to help people find their way to salvation.

From the layman's perspective, however, the duke's church reform was focused upon two issues. First was the capability of the church to function as an institution for religious welfare by providing people with church services, sacraments and pastoral care. The importance of this aspect to Duke George was indicated by his efforts to reform the clergy and his support for pastoral sermons. For moral reasons, he also sharply criticized excommunications under ecclesiastical jurisdiction. Finally, he also limited the awarding of parish prebends when appointing his officials.

The second issue of importance was the piety and lifestyle of the laity itself. With his support, control, and criticism, the duke attempted to lead the layman onto the proper path, as specified by the church.

This marked another modern element of George's church politics. While earlier concepts of Catholic reform had concentrated on monasticism or the clergy, the trend now leaned toward emancipation of the laity. This made the entire populace an object of church reform within the duke's patriarchal rule. Salvation of the individual and the collective welfare were now dependent on following norms. This prepared the way for Early Modern confessionalization and social discipline at all levels of society.

The political situation gave George's reform program additional legitimacy. In particular, there was mounting criticism of abuses by the clergy from the urban population. This reflected the laity's growing demand for effectiveness and authenticity by the church. From the duke's point of view, however, this carried with it a certain danger for the social order. George was already sensitive to the anger of the common man and noted its increase during the

Reformation. For the duke, it was reason enough for urgency in implementing his stabilizing church reforms.[46]

In it goals and conception, the princely reform was meant to be a return to an ideal church. The reform methods, however, were oriented toward the future—church reform through secular governance. The emergence of the modern territorial state opened new dimensions for the relationship between Duke George and the church. Paradoxically, in order to re-institute the ecclesiastical norms, the duke actually ignored those parts of canon law which prohibited secular influence over the church.

Finally, the duke's church reform was not self-sufficient. Calling for reform of the entire church and seeking support from the pope were constants in George's politics. Whether in direct negotiations with the curia, through representation at the Fifth Lateran Council or by taking a detour through territorial diets, George did his best to amplify the calls for reform.

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46 For examples, see ch. 16, section 3, and ch. 24; about the discussion, see also Schulze, *Fürsten*, 192–197. An early case is the negotiation in Naumburg with bishops and archdeacons in 1500. There, George presented a list of gravamina against the clergy, and admonished, "the clergy not to set a bad example for the laity, so as not to suffer their anger," (minutes of the council meeting in Naumburg, July 14, 1500, loc. 14950, "Konzepte […]," 1474–1525, fascicle "1502", unpaginated). In 1494 Wimpfeling's friend Jacobus Philippi perceived a necessity in the reform of the clergy "to prevent the threat of an uprising by the laity against the clergy" (Mertens, 24).

PART 2

The Clash with the Early Reformation (1517–1525)

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CHAPTER 15

George of Saxony and Martin Luther: A New Look at an Old Enmity

> Saint James says, 'Faith without works is dead.'
> Then, Saint James's epistle must be a epistle of straw.[1]

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Duke George as Luther's adversary—nothing about Saxony's last Catholic ruler is of greater interest than his relationship to the founder of the Reformation. George's decision to oppose Luther is often cited as the key to evaluating his place in history, and generations have seen it as a failure during Central Germany's greatest hour in world history.[2] Even today, George's position raises questions, especially when one takes a closer look at the man himself. Luther's Reformation not only had a huge number of followers, but also a number of bitter antagonists. But why did the sharpest critic of the church and most ardent reformer among Saxony's princes become the arch enemy of the reformer? The political explosiveness of this conflict becomes quite clear when one looks at the unique circumstances in Central Germany at the end of the Middle Ages. The Wettins' two territories were like conjoined twins. Despite the Partition of Leipzig, they were geographically and politically interconnected. When so tightly bound, however, turmoil in one territory would have had a direct effect on the other, and every conflict could have potentially turned into an existential threat.[3]

The dispute between Duke George and Martin Luther is among the best documented episodes in Saxony's Reformation history, especially because it

1 Duke George's sarcastic commentary about Luther calling the St James letter an "epistle of straw." [n.d.] quoted from Gess, "Klostervisitationen," 6, n. 3. See also Duke George's foreword to Hieronymus Emser's edition of the New Testament, Dresden, August 1, 1527, ABKG, Vol. 2, 775–780.

2 See ch. 1, section 4.

3 The comparison to conjoined twins was coined by Otto Vossler. See Vossler, 273.

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played out in the continuous distribution of pamphlets to the public.[4] It would take an entire monograph to do justice to the various aspects the dispute presented. Nothing is better proof of the unforgiving nature of this enmity than Luther's commentary regarding George's death. It must give a shiver to even those who are familiar with the coarse tone of Reformation controversies to hear, "I have prayed Duke George to death." Furthermore, Luther was convinced that George's death was the punishment he deserved for fighting the Reformation, and that God would let him roast in Hell.[5] Despite the emotional charge, the conflict was actually rooted in disagreements over substantial matters. The discord could hardly have been triggered by personal aversion since the two antagonists had met each other on only two or three occasions.[6]

The following characterization reiterates the well-known paths just enough to establish an initial understanding of George and Luther's relationship. Its actual goal is to present a change in perspective that will open up a new view to an old conflict. Prior research has tended to see the clash as a personal one and has mostly followed Luther's point of view. Based on letters and pamphlets, it focused on the public controversy between two strong personalities.[7]

While this is certainly a legitimate view, the question is whether it helps to understand Duke George's anti-Lutheran church politics. The chronology already raises some doubts. For instance, in 1522–23, when a personal feud between the prince and the reformer erupted over Luther's note to Hartmut of Cronberg, the politics in Dresden had long been anti-Lutheran in nature. Furthermore, one must ask what fundamental significance Luther's person might have had to Duke George's church politics. It is notable that the Albertine did confront Luther directly to preserve his personal honor, or conversely, to expose Luther as dishonorable,[8] but this was not all of it. An examination of the public conflict alone will not reveal the motives, ways and means of anti-Lutheran church politics; instead, personal animosity and territorial politics should be viewed separately.

Therefore, the following account will deal less with the conflict between strong personalities than on the confrontation between princely politics and

4 See Becker; Brecht, Vol. 2–3, passim; Edwards, *Luther*, 39–44, passim; Kunst, 288–316; Ludolphy, "Ursachen"; Wartenberg, "Luthers Beziehungen," 562–566.

5 These and other quotes are assembled from the Weimar edition (see Luther, *Tischreden*) by Ludolphy, "Ursachen," 29.

6 At the Leipzig disputation of 1519 and at Luther's hearing at the Diet of Worms on April 24, 1521.

7 See e.g. Ludolphy, "Ursachen."

8 See below, section 3.

the revolutionary theses of a theologian who sparked a religious movement. We will examine which familiar categories were called upon and which political strategies were used to deal with the new developments caused by Luther's dramatic rise. The desired perspective is diametrically opposed to previous Luther research, since it has been conducted from Duke George's point of view, and focuses on the anti-Lutheran policy of the Dresden court. When seen from this new position, many familiar aspects will appear in a new light; for example, the Hussite issue and Luther's perception of it, as well as the evangelical movement.

1 How George Became Luther's Foe: From a Shared Position on Church Reform to a Conflict of Faith (1517–1519)

When and why did Duke George become Luther's adversary? In search of an answer, historians have repeatedly quoted a letter of George's sent to Luther during the last days of the eventful year of 1525. Reacting to a last attempt at reconciliation by the Wittenberger, he retrospectively reveals his path to becoming the reformer's adversary:[9]

> We do not wish to hide from you the fact that we were (in part) pleased by your books when they first appeared. We were also not unhappy to hear that the disputation took place in Leipzig, since we have hoped this would help to abolish the abuse among Christians.
>
> We were also present when you were accused by Dr. Eck of being a supporter of the Bohemian sect. At that time, you very vocally and energetically refuted that accusation. However, you explained that quite a few of the articles for which Hus had been condemned were in fact devoutly Christian. We have acted as one who would like to support your cause and have truly requested with an honest heart that you come to us. We spoke to you in private, and on that occasion explained what we considered to be your appropriate and inappropriate behavior. We also passed along a friendly admonition, that since you do not at all care for the Bohemian sect, you should write something to oppose it. […]
>
> A short time later, however, you did in fact release a text praising and validating all the fallacies of the Hussites, Wycliffe and the Picardians, while gravely offending all of our forefathers at the Holy Council of Constance. […] Since then, we have never supported your opinion, because we were raised to believe […] that those who behave with

9 See e.g. Wolgast, "Territorialfürsten," 419; Ludolphy, "Ursachen," 31.

> disobedience against and separate themselves from the Christian church have always been, and remain, heretics and sectarians as decreed by the Holy Council.[10]

To follow George's story, his journey to becoming Luther's adversary goes through three phases. Luther's public appearance promoting church reform first met with George's approval, at least "in part," but doubts began to surface during the Leipzig disputation. The Wittenberg reformer did not clearly distance himself from the Bohemian heresiarch, Jan Hus. When Luther took George's well-intentioned suggestion to write against Hus and turned it on its head, the situation became clear. Luther was standing by Bohemian heresy and could expect nothing less than hostility from those princes still loyal to the church. However, the letter of 1525 was written in retrospect and must be compared to prior sources. What exactly was it about the earlier Luther that had so "pleased" George?

1.1 *A Hopeful Beginning: Duke George and the Ninety-Five Theses*

Like everyone in the empire, Duke George first took note of Luther because of his criticism of indulgences.[11] At first, this fell into familiar categories. Luther seemed to be another voice in the choir of those warning against religious abuses and excesses in Rome. It might have been a particularly strong voice, but it was singing a well-known tune. Up until the Diet of Worms, public perception of him was mostly built on Luther's own tracts, such as his popular *Letter To the Christian Nobility of the German Nation*, which borrowed a great deal from the "Gravamina of the German Nation."[12]

At first, Duke George assumed that the ninety-five theses were a contribution to the ongoing discussion on church reform. In 1527, he recalled that "at first, it all began with what was purported to be a reform and correction of abuses."[13] If Luther were especially pointed in his arguments, George did not immediately take notice of the new theological accent in his criticism. By mid-November, 1517, the prince had already decided to have the theses distributed throughout his lands. However, his quick and positive reaction cannot be attributed only to his well-established enthusiasm for reform; it was due to one particular reason behind the theses. Luther's criticism targeted Tetzel's indulgence campaign for St Peter's in Rome, which had also plagued Duke George

10 Duke George's letter to Martin Luther, Dresden, 28. December 1525, ABKG, Vol. 2, 472–478.

11 About the indulgence controversy and the 95 theses, see the summary in Brecht, Vol. 1, 173–215. About George's reaction, see details p. 390–396.

12 See Wolgast, "Territorialfürsten," 413 f.; Wohlfeil, "Wormser Reichstag," 89.

13 George's foreword to the New Testament, 1527 (like n. 1), 776.

for some time. George had joined the Ernestines in early 1517 in denying the campaign entry to his territory, but it was not easy to enforce the prohibition with a populace so eager for indulgences.[14] Luther's initiative came along at just the right moment. In agreement with the bishop of Merseburg, the theses were to be posted "at many locations." This was to serve the political goal, "that the poor people who run in search of mercies are warned of Tetzel's deceit."[15] It was also in line with Luther's thinking, as he wrote an accompanying letter requesting that Cardinal Albrecht re-write the indulgence instructions and order Tetzel to tone down his preaching style.[16]

George's support for the theses was highly selective, focusing exclusively on Tetzel. After his long battle to restrict the foreign indulgence campaign, the theses were now casting doubt upon Tetzel's shrill marketplace sales techniques. However, George saw no threat to his own indulgence for St Peter's, which had been established in Annaberg some months before; on the contrary, there was the possibility that the theses might help to eliminate the competition. Therefore, it would be too much to say that George gave blanket approval to Luther's fundamental theological criticisms.[17] Active support for indulgences continued to be a tool in the service of George's church politics. Furthermore, if fundamental criticism had been his motive, the bishop of Merseburg would never have given his approval for George to proceed. This was eventually proved by their disagreement about the prospect of a disputation in Leipzig.

It is difficult to say to what degree Luther's theological criticism actually reached George. One should keep in mind that indulgences were rather unimportant to the duke's own personal piety.[18] It is also noteworthy that George only spoke about "Tetzel's deceit" being targeted by the theses. Although he saw the marketing practices of a specific indulgence campaign as scandalous, he did not speak out against indulgences in general.[19]

Despite George's prompt reaction to the theses, in the following year there was neither a personal encounter with the reformer nor a substantive exchange

14 See also p. 390–396.

15 Cäsar Pflug's letter to Duke George, November 27, 1517, ABKG, Vol. 1, 28 f.—Possibly in relation to an Albertine plan for an area-wide posting of broadsheets of the 95 theses in an early edition of the theses by the Jakob Thanner print shop in Leipzig. This was one of three editions of the theses to appear before the end of 1517 based on a handwritten original. However, there is no surviving evidence of a commission by George or the bishop of Merseburg. See Claus, *Untersuchungen*, Vol. 1, 24–28; for a reproduction of Thanner's broadsheets, see Marx/Kluth, 96 f.

16 See Borth, 19–21.

17 According to the interpretation in Winterhager, "Ablaßkritik." See also p. 390–396.

18 See p. 86–93.

19 About this complex position see p. 390–396.

between the two. During a visit to Dresden at the end of July 1518, Luther only met with court chaplain Hieronymous Emser. Like his master, Emser was of the opinion that people like Tetzel were doing harm to the institution of indulgences, and he admonished Luther about the effect his criticisms might be having on the laity.[20]

As indulgences became more of a topic of public discussion in 1518, George recognized the true potential of the theses. He became interested in responding to criticism from the laity by clarifying theological points of contention. His intent was to eliminate possible abuses in accordance with traditional church reform. His support of the Leipzig disputation, however, should not necessarily be interpreted as a show of approval for Luther.[21]

In fact, George's correspondence with Luther was restrained. Even before the disputation, Luther already suspected that he had fallen out of favor with the Albertine.[22] George expected that the disputation would primarily be a discussion about indulgences, as Johannes Eck had emphasized in his initial request.[23] In his attempts to convince the university of Leipzig and the local Bishop of Merseburg of the value of the disputation, George continually stressed the importance of substantive clarification as well as an increase in prestige for his territorial university.[24] He made direct reference to Tetzel's preaching practices: "We maintain: it should be allowed to be debated as to whether a soul is led up to Heaven when a penny jingles in the cup." He now

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20 Long refuted, older research held the view that George had already distanced himself from Luther when the two met in Dresden after Luther's sermon in the castle church. In fact, George had spent May 8 to September 6 at the Diet of Augsburg. There, they had "just missed" each other because George left Augsburg four weeks before Luther's hearing before Thomas Cajetan (October 12–14). This took place in Jakob Fugger's palace, where George had earlier been a guest and probably first met Johannes Eck. About Dresden, see Smolinsky, Alveldt and Emser, 34–36; Kawerau, 28 f.; the older theory by Dibelius; about Augsburg, see. ABKG, Vol. 1, 44, n. 1; Tewes, "Luthergegner," 331–338.

21 About the Leipzig disputation, see the following section.

22 George makes no positive references to the theses in his correspondence with Luther and is critical in at least one instance. To Luther's question as to whether he had fallen out of favor with the prince, Duke George answered, "We neither bear nor hold any supposed ill-will toward you." But he continues, "Indeed, much has been reported to us that we would not mind discussing with you. But, until you come to see us, we should let the matter rest." Duke George's letter to Martin Luther, Dresden, May 19, 1519, ABKG, Vol. 1, 85 f.; the further correspondence ibid., 72–84, passim.

23 See Dr. Johannes Eck's letter to Duke George, Ingolstadt, December 4, 1518, ABKG, Vol. 1, 47 f.

24 See Duke George's letters to the dean and doctors of the theology faculty at Leipzig University, and to Dr. Johannes Eck, December 30–31, 1518, ibid., 52 f.

took an interest in Tetzel's indulgence preaching, not only as competition for his own campaigns, but also from the aspect of church reform. It was suspected of being an abuse, and its removal could also be to the Pope's advantage: "We maintain: that his papal holiness cannot be completely against us poor laymen being informed as to the right thing to do. If we have been deceived by false teaching of the scripture, then this ought to be exposed."[25]

While taking the attitude of the laity into consideration, George's criticism of indulgences remained within clear limits. He did not consider an indulgence to be suspicious by its very nature; it was the "deceitful" practices of certain indulgence preachers, who preached that all one had to do was to give money that he found to be a display of conspicuous greed that discredited the church. George's submission to the gravamina at the Diet of Worms in 1521 was exactly in this vein. Despite all of his criticisms, he still asserted that the mercies of an indulgence would "bring about salvation of the soul."[26] As a layman, George demanded a disputation that clarified the teachings of the church, lest radical voices further rile the people, "because if this does not happen, there is concern that many people would assume that the church deals with us, the poor laity, in ways that should not come to light. This would only strengthen those who now are supported by few, but might win the hearts of many more."[27]

Because of George's attitude about the indulgence issue, he was never one of Luther's supporters. As a reform-conscious layman and a responsible territorial ruler, he nonetheless took Luther's theological criticism seriously. He demanded that the church take steps to achieve clarity in its teachings just as theologians did in their religious deliberations. In this light, he hoped that the Leipzig disputation would bring "an abolition of abuses among Christians."

1.2 *A Suspicion Arises: The Leipzig Disputation and the Hussite Question*

The first direct encounter between the prince and the reformer was at the Leipzig disputation (June 27–July 16, 1519). It permanently changed Duke George's view of Luther.[28] The controversy about indulgences fell completely

25 Duke George's letter to Bishop Adolf of Merseburg, Dresden, January 17, 1519, ABKG, Vol. 1, 60–62.

26 See the discussion at p. 390–396.

27 Duke George's letter to Bishop Adolf of Merseburg, Dresden, January 17, 1519, ABKG, Vol. 1, 60–62.

28 See Selge, "Weg"; id., "Leipzig Disputation"; Brecht, Vol. 1, 285–332; from older literature: Seidemann, *Leipziger Disputation*; Gess, "Leipzig und Wittenberg," 67–71; for the minutes of the disputation and an overview of contemporary pamphlets, see WA, Vol. 2, 254–435; Vol. 59, 427–605.

into the background as Eck's clever debating tactics threw doubt upon Luther's orthodoxy. Luther vehemently denied the accusation that his theses had embraced the Hussites' position that papal primacy had no religious foundation. He stopped himself short, however, by taking the position that not all the teachings of Jan Hus were actually heretical.[29] This was despite the fact that the Hussites had completely broken from Rome, and Hus himself had been condemned by the Council of Constance.

Inasmuch as Luther himself questioned the pope's primacy and the infallibility of the general council, he was shaking the foundations of the medieval church. Duke George, who followed the verbal battle as an interested listener, could not have possibly missed this. The Hussite issues were even more important to him. The Leipzig master, Sebastian Frőschel, was sitting directly behind George in the auditorium and described the prince's reaction to the dramatic climax as Luther responded to Eck: "My dear doctor, *non omnes articuli Hussitici sunt haeretici*." Duke George put his hands on his hips and cried out, "This is folly!" (*"Das walt die sucht!"*)[30] Even though this scene is only reported by Frőschel's account of 1566, there are no doubts about its accuracy. Reports from both Luther and George are in agreement that a face-to-face conversation took place in which the prince reproached the theologian about his theses regarding Hus. He strongly urged Luther to write a text that would publicly distance himself from the Hussites.[31] All in all, this first encounter was a disaster. While it had not yet come to a complete break between the two, from George's position, the positive view of Luther's approach to reform had shifted to a suspicion that it was an endorsement of Bohemian heresy. After Leipzig, Duke George no longer expected that any good would come of Luther.

To understand George's reaction, one must take into account his special relationship with the Hussites. For most contemporaries, heresy was a thing of the past.[32] Even for Johannes Eck, associating Luther with the Bohemians was more of a tactical maneuver, intended to put pressure on his opponent. However, George's position differed fundamentally. On a personal level, the literature always made reference to his mother Zedena. Daughter of a Bohemian king,

29 See Selge, "Leipziger Disputation"; see also the letter above from Duke George that is quoted in the main text.

30 Sebastian Fröschel, *Vom Königreich Christi Jhesu*, Wittenberg 1566, quoted here from Ludolphy, "Ursachen," 3.

31 See Martin Luther's letter to George Spalatin, Wittenberg, July 20, 1519, WABr, Vol. 1, 421–424; this last statement, which was directed at Luther himself, is only found in the letter from Duke George. See the quote above in the main text.

32 See Wolgast, "Territorialfürsten," 409.

she had raised her son to be strictly loyal to Rome. This was done out of grief for her father, the Bohemian Hussite King Georg of Podiebrad, who had died under papal excommunication.[33]

But it is not the entire story. At least equally important was the fact that George had continuous difficulties with the Hussites in his governance. This included fighting against covert Hussites who infiltrated the clergy, supporting local churches against Hussite propaganda in the border regions, and the public polemic against Utraquist theology. Confronting the divergent Bohemian church was one of the constant challenges of Albertine church politics.[34] Further, the duke's court maintained intensive contacts with the remaining Catholics in Bohemia, in particular Dr. Johann Žak, who administrated Prague's unoccupied Archbishopric.[35] Another high-ranking contact was Ernst von Schleinitz, the son of the Albertine Lord Marshal Heinrich von Schleinitz. Records indicate that Ernst himself had been in service to George from 1506, and in 1508 he was elected as Prague's cathedral provost. After 1524/25 he was Žak's successor in overseeing the archbishopric. His pivotal function is underscored by the fact that from 1514, he was also cathedral provost in Meissen.[36]

When it came to the Hussites, protecting his subjects from heresy was not an abstract goal of Duke George's governance but rather a very real challenge

33 See e.g. Ludolphy, "Ursachen," 33–35; about this matter, see ch. 5, section 1.

34 See below, section 2.

35 Dr. decr. Johann Žak († 1534), a patrician from Leitmeritz, was provost of the collegiate church of St Stephen at Leitmeritz since 1508. He was also the administrator of the archdiocese of Prague from 1511–1525. He had been a canon there since 1485. As Hieronymus Emser traveled to Bohemia prior to 1519, he was probably visiting Žak. In 1523, Žak was appointed visitator by Duke George to the newly founded Celestine monastery at the Kőnigstein. See Duke George's instructions [late June 1523], ABKG, Vol. 1, 533–537. About the contact between Emser and Žak as well as Žak's biography, see Schlenz, 80–87; Thurnhofer, *Emser*, 14–16; Smolinsky, *Alveldt und Emser*, 38 f.

36 From 1514, Ernst von Schleinitz († 1548) was the cathedral provost at Meissen. The earliest evidence of his collaboration with Duke George is in his role as guarantor for the duke's money in Rome in 1506 (See p. 160, n. 154). In 1519, he was probably behind a petition by the Prague cathedral chapter in favor of the canonization of Benno of Meissen (see minutes of the consistory of March 5, 1520, A.S.V., Archivio Concistoriale, Acta Vicecancellarii, Vol. 2, fol. 143r). In 1515 Hieronymus Emser dedicated to him his early edition of *Enchiridion militis christiani*, the famous theoretical treatise on reforming piety among the laity. See Hieronymus Emser [ed.], *Enchiridion Erasmi Roterodami Germani de milite Christiano in quo taxatis vulgi sup.*[*er*]*stitionibus ad priscae religionis puritate.*[*m*]*:veteris aeloque.*[*n*]*tiae lituo nos prouocat* [...], Leipzig: Valentin Schumann 1515 and 1516 (VD 16 E 2744, 2746), fol. A Iv–A IIr. About collaboration during the Reformation, see below. About the biography, see Loose, "Domklerus," 358; Gess, "Ablaß," 539, n. 2; ABKG, Vol. 1, 114, n. 1.

for his church politics. It was within this highly explosive context that Eck directed his attacks against Luther. Not only does Frőschel's account of George's outburst at the disputation indicate that a nerve had been touched, but the subsequent activities of George's court chaplain, Hieronymus Emser, do as well.

On August 13, 1519 Emser published an open letter to Johann Žak. In the letter, he commented on the public support that Luther had received from the Hussites. There was also talk of Bohemian Hussites secretly coming to Leipzig to hear Luther speak.[37] Emser nonetheless stressed that Luther had openly spoken out against the Hussites and their break from Rome; therefore, it would have been unwise for the heretics to rejoice too soon. The court chaplain's comments were immediately given to Lotter for printing in Leipzig. The high number of 1,000 copies shows how important anti-Hussite propaganda was to Duke George. The letter can be considered an element of the duke's church politics[38] with the goal of driving a wedge between Luther and the Hussites by emphasizing their differences. Under no circumstances were the Hussites to gain in popularity because of acclaim for Luther; there were already the first signs that this was happening in Dresden.[39] The Hussites threatened to infiltrate the population and were considered a concrete danger to the salvation of the duke's subjects.

Emser's activities also had quite an unexpected side effect. Luther was extremely provoked by Emser's condescending portrayal of him as an oddball tangled up in his own contradictions. As a consequence, he published *Ad aegocerotem Emserianum M. Lutheri additio* in late September of 1519. George's court chaplain printed a retort in November, which placed him firmly in the camp of Luther's opponents.[40] The "pamphlet war" had begun.

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37 See Thurnhofer, *Emser*, 14, n. 1.—The Prague organist Jakub attended the disputation as an audience member. He conveyed that there had been brief contact between Luther and the Hussite cleric Johann Poduska (priest at the Tyn church at Prague) as well as Master Wenzel Rožďalovsky. See Schlenz, 85 f.

38 Hieronymus Emser, *De disputatione Lipsicensi, quantum ad Boemos obiter deflexa est*, Leipzig: Melchior Lotter the Elder 1519, Thurnhofer, *Emser*, 27–41, also the introduction, ibid., 14–16.

39 See below, n. 80.

40 See Hieronymus Emser, *A venatione Luteriana aegocerotis assertio*, [Leipzig: Martin Landsberg 1519], Thurnhofer, *Emser*, 42–99; about the context, see ibid., 11–21; WA, Vol. 2, 655–657; Smolinsky, *Alveldt und Emser*, 37 f.; Kawerau, 31–33.

1.3 *The Suspicion Is Confirmed: Luther's "Sermon on the Most Venerable Sacrament of the True Holy Body of Christ"*

At Christmastime that same year, when Duke George received a copy of Luther's "Sermon on the most venerable sacrament of the true holy Body of Christ," the relationship between the two worsened still further.[41] This short pamphlet of seemingly minor importance led to the duke's final condemnation of Luther. George's reaction provides insight into how Reformation propaganda was received at the time, especially regarding the relationship between text and image, a topic much discussed in the research.[42]

At first glance, the short sermon appears rather moderate in tone. In a pastoral style, it introduces the reader to the proper understanding of the Eucharist. Luther firmly acknowledges the traditional theology of real presence and of concomitance, declaring that the bread and wine "are both constituting a perfect sacrament of their own." Following on, he acknowledges the practice of *Communio sub una specie* to be completely legitimate.[43] Embedded in this statement, however, we find the first expression of support for the "layman's chalice" (the right for laymen to take wine during communion). "I do agree to the position, that the church should, by means of a general council, re-establish the habit of giving both kinds to all people, not because one kind would be insufficient […], but because it would be a fine and good thing to do."[44] By confirming the doctrine and the practice, and suggesting a possible change by a general council, Luther inserted his appeal for the layman's communion under both kinds into the ongoing church reform discourse.

Duke George reacted sharply. After briefly "looking over and quickly reading" the newly published pamphlet, his worst suspicions appeared to have been confirmed—Luther had become a spokesman for the Hussites. Instead of following George's recommendation to write something against the Hussites, Luther suggested that the layman's chalice, the central identifying symbol of the Utraquists, was an example to be followed throughout Christianity. By breaking such a taboo, Luther could no longer get through to the duke with his well-balanced theological reasoning. Certain that his own beliefs were true to the church, George and his church politics had no sympathy for Luther's theological demands for purity and authenticity of faith. In Duke George's response, we hear above all the voice of the prince whose church politics were

41 Martin Luther, *Ein Sermon von dem hochwürdigen Sakrament des heiligen wahren Leichnams Christi und von den Brüderschaften* (1519), WA, Vol. 2, 738–758.

42 See Scribner, *Simple Folk*; Köhler, "Fragestellungen."

43 Luther, *Sermon*, 1519 (like n. 41), 742, 749.

44 Ibid., 742.

always directed toward the salvation of his subjects. Luther's appeal was not seen as a reform concept worth considering, but rather as a prime example of support for Hussite propaganda.

Based on the duke's strong reaction, Luther's intended message and the way the Albertine interpreted it were miles apart. For George, it was "a strengthening of the Bohemian apostates," who "fundamentally spread heresy and much turmoil."[45] His severe judgment is somewhat surprising when one looks closely at Luther's comments, which clearly stress the church's doctrinal authority. Obviously, the duke was acting on an anti-Hussite impulse, activated by the topic of the layman's chalice and heightened by suspicions about Luther in the wake of the Leipzig disputation. But there was more to it. A second look at George's comments is revealing beyond just the written word. George's first glance fell upon the title page's woodcut illustration rather than Luther's words. The duke wrote, "On the first page, there is an ostensorium with the communion host. On the next page, another is shown with a chalice in its center."[46]

With this well-composed and easy to understand symbolism, the layman's chalice theme was brought directly to the fore without a trace of Luther's carefully balanced arguments. The title illustration was literally in the foreground of George's letter of complaint to Friedrich the Wise: "It is important to note that the images of the two ostensoriums and the text under each are understood by many as a support for those who take the communion under both kinds."[47] Alarmed by the duke, Bishop Adolf of Merseburg also had no doubts as to the woodcut's message: "His intention seems to be to stir up trouble among the common folk."[48] Above all, Duke George was outraged by the breaking of so many taboos. Two ostensoria did not belong on a single altar, and they were not meant to hold a chalice instead of the host. This caused "much anger and mistrust."[49] In his account to Elector Friedrich, he repeatedly returned to the title page, which he believed carried the text's primary message.[50] In the duke's eyes, the pamphlet's concept was less about the fine points of theological arguments; instead, it was based more on symbolism, "especially because it is written in the vernacular and addressed to the commoners." He

45 Duke George's letter to Elector Friedrich, Dresden, December 27, 1519, ABKG, Vol. 1, 110 f.

46 Duke George's letters [to Bishop Johann VII of Meissen and Bishop Adolf of Merseburg, Dresden], December 27, 1519, ABKG, Vol. 1, 111 f.

47 George's letter to Friedrich, 1519 (like n. 45).

48 Bishop Adolf of Merseburg's letter to Duke George, Merseburg, January 20, 1520, ibid., 116.

49 Ibid.

50 See ibid.; George's letter to Friedrich, 1519 (like n. 45); Duke George's letter to Bishop Adolf of Merseburg, Dresden, January 13, 1520, ibid., 115 f.

feared it would boost the support for those who "take the communion under both kinds," thus leading his subjects to run into the arms of the Hussites.[51] Accordingly, the mandate of Bishop Johann VII, issued on George's initiative, held Luther's sermon responsible for casting doubt upon the adequacy of the *Communio sub una*.[52]

It is interesting to note that despite George's ban of January 13, 1520 on publishing the sermon, two more reprints appeared in Leipzig with no reaction out of Dresden.[53] However, the printer in Leipzig avoided all visual provocations on the title page and tried to make the pamphlet appear harmless to the casual observer, such as inspectors from the Leipzig city council. Instead of the incriminating woodcut from Wittenberg, they used a printing block with traditional motifs. This also featured the Eucharist, but it did not depict Luther's revolutionary ideas. This served to mask the controversial aspects of the pamphlet. Wolfgang Stőckel's edition shows a priest in habit serving the *Communio sub una* to a layman.[54] Valentin Schumann's printing went a step further. Not only did he not name Luther as the author, he also used a different woodcut that was originally created for Dungersheim's *Confutatio Apologetici*.[55] Thus, the Leipzig edition, considered by Duke George to be a pro-Hussite sermon, was embellished with an image from an anti-Hussite pamphlet that the duke himself had previously commissioned.

Luther's sermon was "the last straw" in Duke George's final decision to oppose him. Within a few days, he had introduced new anti-Lutheran church politics. At the turn of the year 1519–20, these measures left no doubt that the Albertine had decided to take a stand against Luther.[56] Looking back, George saw the Leipzig disputation as the first step taken against Luther. It had given Eck the opportunity to refute the theologian and make public the criticism that up until then had "remained hidden in the corners and was only given

51 George's letter to Friedrich, 1519 (like n. 45).

52 See n. 89.

53 For more details, see also ch. 23, section 2.

54 Martin Luther, *Eyn Sermon von dem Hochwirdigen Sacrament des heyligenn waren Leichnamß Christi. Unnd von den Brüderschafften. Doctoris Martini Luther Augustiners*, [Leipzig: Wolfgang Stöckel 1520] (VD 16 L 6392), fol. A Ir.

55 Martin Luther, *Eyn Sermon von dem Hochwirdigen Sacrament des heyligen waren Leychnamß Christi. Und von den Bruderschafften. D. M. L. A.*, Leipzig: Valentin Schumann 1520. (VD 16 L 6391), fol. A Ir. Instead of the author's name, the reader will find the abbreviation "D.M.L.A."—My thanks to Thomas Döring, Leipzig, for information about the origins of the woodcut.

56 See below, section 3.

behind Luther's back."[57] Therefore, the duke's much quoted commentary about Luther's *Letter to the Christian Nobility*—"although perhaps not all of it is untrue, and it is not unnecessary to bring it to light"[58]—cannot be taken as a pro-Lutheran statement or even as an ambivalent position.[59] Along with his rejection of Luther and his criticisms of Rome in the very same letter, it constitutes a solid statement: while opposing Luther, George continued to pursue reform within the traditional church. In all of his fight against the Reformation, he would stay true to this primary goal of his church politics.[60]

The suspicion which began at the Leipzig disputation hardened into certainty with Luther's sermon about the layman's chalice; in the duke's eyes, Luther was a Hussite. As quoted above from George's own words, it took him three steps to arrive at this conclusion. In other correspondence, such as his letter to Henry the VIII of England in 1523, the duke reaffirms his path to this decision.[61] Accordingly, it was not the Leipzig disputation, but rather the small, seemingly insignificant sermon of 1519 that marked the break between Luther and his most important adversary among the German princes. As so often was the case in the history of the Reformation, it all came down to the Eucharist.

2 The Equation of Luther with Hus, and Its Consequences

Research recognized quite early that Luther's defense of the Hussite's positions during the Leipzig disputation strongly influenced George's disapproval of him. Additionally, the prince's rejection is always seen as leading back to

57 Duke George's letter to Bishop Adolf of Merseburg, Dresden, January 13, 1520 ABKG, Vol. 1, 115 f.

58 Duke George's letter [to Dr. Johannes Hennig in Rome, October 10–15, 1520], ABKG, Vol. 1, 138 f.

59 Siegfried Hoyer interprets George's opinion of Luther as being undecided up until the Diet of Worms. See Hoyer, "Georg," 102. However, George's fundamental rejection of Luther's *Letter To the Christian Nobility* is made clear in the context of the quote. He emphasizes, "I would never approve of this," and declares a ban on reprinting it. Shortly after the letter had been published, George asked for advice from the bishop of Meissen on measures to take against a pamphlet by Luther. It is likely that he was referring to the letter. See Bishop Johann VII of Meissen's letter to Duke George, Stolpen, September 6, 1520, ABKG, Vol. 1, 132.

60 See Duke George's letter [to Dr. Johannes Hennig in Rome, October 10–15, 1520], ABKG, Vol. 1, 138 f.

61 See Duke George's letter to King Henry VIII of England, Quedlinburg, May 9, 1523, ABKG, Vol. 1, 504–509.

the formative influence of his Bohemian mother.[62] This is all well documented. However, do we know the full significance of Hus in the context of Duke George's family origins and upbringing? The earlier account of George's political contacts with Bohemian Catholics raises some doubts and hints at some overlooked connections.[63] To examine them, it would be beneficial to expand the traditional view of George's personal animosity toward Luther to the political plane. When the consequences of equating Luther to Hus are set against the backdrop of the duke's church politics, new implications are revealed.

Viewing pre-Reformation church politics alongside progress during the Reformation, a key focus of this study, it becomes clear that the confrontation with the Hussites extended far beyond the Duke's upbringing and affected the day-to-day governance of the Albertines. The Hussite invasion in the 1430s was burned into the collective memory of the Margraviate of Meissen. Such attacks were a thing of the past, but the towns along the ridges of the Ore Mountains were still zones of intense contact with the Bohemians and their heretical movement.[64]

It must have come as a great shock to the young prince when Dr. Johann Pfennig, the first parish priest in his prized new city of Annaberg, was exposed as a clandestine Hussite. Pfennig, an auxiliary bishop who went by the title of Vernau, fled to Bohemia, where he publicly proclaimed his support for Utraquist beliefs by ordaining several Hussite clergymen into the priesthood.[65] Even in Bohemia, however, Pfennig did not escape the long reach of Albertine church governance. Duke George had bailiffs arrest him, and he was remanded to the bishop of Meissen. George then arranged for a papal breve to justify his actions and call for a heresy trial. According to the duke's wishes, jurisdiction was to be transferred to the bishops of Merseburg and Naumburg. Pfennig

62 See e.g., Ludolphy, "Ursachen," 33–35; Vossler, 285 f.

63 Heribert Smolinsky has examined Emser's contact with the Bohemian Catholics. However, George's pre-Reformation church politics are outside the scope of his investigation. He too credits George's reaction solely to "the anti-Hussite feelings instilled in him by his mother." See Smolinsky, *Alveldt und Emser*, 36–39, the quote 314.

64 Due to intensive trading across the Ore Mountains, maintaining isolation was impossible. Despite his hostility toward the Hussites, George felt compelled to secure papal permission for his subjects to trade with the heretics. See p. 164, n. 169.

65 That Pfennig was an auxiliary bishop was especially meaningful to the Hussites. They still adhered to the ordination of priests, but did not have their own bishops and were therefore dependent on bishops from elsewhere. See Brecht, Vol. 2, 79.

remained incarcerated by the bishops until his death in 1506, his parish in Annaberg maintained by vicars until his replacement in 1504.[66]

During the Pfennig affair, Duke George was forced for the first time to respond specifically to the Hussite threat. Thereafter, his support of religious life in Annaberg was always tied to anti-Hussite goals. The city's opulent church was meant to provide proof of the supremacy of the Church of Rome through its didactic program of traditional faith. As he made clear to the pope in 1508, the duke not only hoped to immunize Annaberg's population against Hussite influence, he also wished to win back some Bohemians to the traditional church.[67] Another tool in George's arsenal against the Hussites was propaganda in the form of theological pamphlets. Even before pamphlets reached such dominant significance during the Reformation, they were used by Hieronymus Dungersheim to contradict Hussite teachings. In 1514, under direct orders from the duke, he wrote a rebuttal to a Hussite apology printed in Nuremberg.[68] Written as an open letter to Johann Žak about the Leipzig disputation, Emser's above-mentioned pamphlet employed the same line of attack.

Defending against heresy was as much a part of Duke George's day-to-day church politics as was church governance or reform politics. Therefore, it was only logical to call on the tradition of Wettin church politics when trying to convince the Ernestines to oppose Luther. Several times, George cited the death toll among his ancestors that had resulted from hostilities with the Hussites.[69] However, this was not just a reference to some historical battle; a look at Meissen's past shows that the fifteenth century wars with the Hussites played a pivotal role in forming Wettin identity. Friedrich the Belligerent had been able to establish his position as Saxon Elector by fighting a war against the heretics;[70] therefore, defending Saxony against the Hussites could be seen as a binding legacy of Wettin politics. In 1529, the chronicler Johannes Lindner

66 See the breve from Pope Alexander VI to Duke George, Rome, August 10, 1501, O.U., no. 9425; Dr. Günther von Bünaus of Schkölen's report to Duke George [1505–06], ABKG, Vol. 1, LXIII, n. 1 und LXIV f.; Richter, *Chronica*, Vol. 2, 43 f.

67 See p. 149–157, and ch. 12, section 2.

68 See Hieronymus Dungersheim, *Confutatio apologetici cuiusda.*[*m*] *sacre scripture falso inscripti: ad illustrissimu.*[*m*] *p.*[*ri*]*ncipem Georgium: Saxonie duce.*[*m*] *etc. a magistro Hieronymo Dungerßheym de Ochssenfart, sacre theologie professore, edita*, Leipzig: Wolfgang Stöckel, 1514 (VD 16 D 2947). See also p. 421 f.

69 See Duke George's letters to Duke Johann the Elder, Schellenberg, November 21, 1521, and Coburg, December 26, 1521, ABKG, Vol. 1, 208–211, 237–241. For more details see also, ch. 17, section 2.

70 In the fifteenth century, chroniclers from Meissen also regarded the Hussites as primarily a military threat. Helpful information from Dr. Mathias Kälble, Jena.

described Duke George's church politics within this tradition: "His serene highness, the much-vaunted God-fearing prince, stands steadfast in the footsteps of his forefathers who continually overcame the heathens and Hussite heretics with princely and Christian feats in the Margraviate of Meissen and the Duchy of Saxony."[71] In George's case, however, one could not speak of an actual military battle; it was his anti-Lutheran church politics that Lindner was describing as a continuation of the struggle against the Hussites.

Being accused of supporting the Hussites placed Luther in a politically relevant context for Duke George unlike for any other prince in the empire. The controversy surrounding the "Sermon on the Holy Sacrament" confirmed the Albertine's worst fears. Luther seemed to openly identify as a follower of the hated Bohemian heresy. All else paled, compared to this perception. As George continued to follow Luther's development,[72] the now-established association with Hus was ever present. From that point on, the adoption of heresy from the Bohemians came to define Luther and the Reformation.

Luther provided no reason why this perception should change. Likewise, George, who was a politician and not a theologian, never raised questions about the clear differences between Hussite and Lutheran doctrine. This was because the duke held to the medieval belief that all heresies were interconnected as works of the devil. The duke even tried to prove this assertion to the Ernestines with (fictitious) historical proof. According to his account, Wycliffe himself, when confessor to a Bohemian king, had brought his heresy to Bohemia, in the same way it was anticipated that Luther would bring heresy from Bohemia to Saxony.[73]

George did not keep his belief that Luther was a Hussite to himself. Editions of pamphlets carried his idea throughout the empire with Emser's principal accusation, "That you [...] are so eager to teach and deceive us with Jan Hus's long since damned heresy—an old extinguished fire you wish to rekindle from the ashes."[74] With Luther and the Hussites as their common enemy, it was no coincidence that Albertine propagandists worked closely with Bohemian Catholics.[75] In the pamphlet *Against Luther's Consolation* ("Widder Luthers

71 Lindner, col. 1474.

72 This is how George's opinion of Luther in later years was so strongly influenced, for example, by his own departure from his monastic vows. See also ch. 20.

73 See Dr. Georg Brück's letter to Duke Johann the Elder, [December 23–25, 1521], ABKG, Vol. 1, 232–235; Duke George's letter to Duke Johann the Elder, Coburg, December 26, 1521, ibid., 237–241.

74 Hieronymus Emser, *An den stier zu Wiettenberg* (1521), Enders, Vol. 2, 1–8, here 5.

75 See p. 571–573.

trostung" of 1528, George painted the following image of Luther and his movement: Luther had been preaching the Bohemian heretical sacramental doctrine and his followers had been practicing it. Just as the appearance of Jan Hus had led to the Hussite wars, violence and death were the fruits of Luther's heresy. In the duke's eyes, the layman's chalice was the beginning of the development that would end with the Peasants War massacre.[76]

The Catholic allies in Bohemia had the same opinion regarding the shared identity of Hussite and Lutheran heresy. The Prague administrator Johann Žak expressed this in a letter to Emser shortly after the Diet of Worms. He wrote that the "Lutheran insanity" would spread throughout the empire just as it had in Bohemia. He warned that the Bohemians had known for more than a hundred years that this brand of spiritual nourishment was unhealthy and would cause the downfall of the kingdom. He also feared that once touched by this unholy disease, the Germans, with their sharp intellect, might burn with an even higher fever than the common Bohemians.[77] Žak also stressed the close connections to Albertine Saxony in the struggle for church reform and the fight

76 "Just look at the misery you have caused with your teachings. On Easter in the year [15]25, almost 100,000 valiant men died in German territories. What has been the cause other than the shameful abuse of the Holy Sacrament?" Duke George's draft of his pamphlet "Widder Luthers trostung ann die Christen zu Hall" [November 1527], ABKG, Bd. 2, 818–836, here 830. For a detailed analysis of the text, see Becker, 198–216; Smolinsky, *Alveldt und Emser*, 328–332.—The argument that heresy brings violence and chaos was actually already in use as anti-Lutheran propaganda before the Peasants' War. In 1521 Emser wrote a reminder about Hus, "And ask yourself, Luther, although neither you nor I were at the well-known Council of Constance to see things for ourselves, how can we find out or learn what the results have been and what has developed since then? Did not Christ say, 'By their fruits you will know them'? Will you not open your eyes now and see the suffering and misery; false beliefs; heresy and misconceptions; the murder and manslaughter; and eradication of service and honor to God that have come out of the Hussite teaching in Bohemia? And, that the Hussites have destroyed such a noble kingdom. […]," Hieronymus Emser, *Auff des stieres tzu Wiettenberg wiettende Replica* (1521), Enders, Vol. 2, 25–44, here 41.

77 "[…] *magis timemus, qui speramus, licet Luterana vesania* […] *non tamen tam grata existit in Boemiam, quae iam nauseat super cibo huiusmodi, quo a centum annis et supra iam vexata experimento didicit, quale alimentum attulit, non vitale regno, sed mortale.* […] *Et vereor, quanto nobiliora Alamanorum sicut ingenia, tanto labe huiusmodi polluta erunt ferociora, Bohemi uti rudiores iam reposcunt, in tali insania, diutinus usque ad nauseam Unversati Theotoni vero initio fervent.*" Dr. Johann Žak's letter to Hieronymus Emser, Leitmeritz, August 2, 1521, B. A. V., Cod. Vat. Lat. 6199, fol. 17.

against heresy by praising the efforts of Prague's (and Meissen's) cathedral provost Ernst von Schleinitz.[78]

George's belief that Luther was propagating Bohemian heresy had a deep influence on his church politics during the Reformation. While the rest of the empire was fascinated by Luther's indictments of Rome and demands for reform, and the flock of Lutheran supporters grew, Duke George took up the fight against the seemingly familiar Bohemian threat. This time, however, his attacks were directed at Wittenberg. Fearing the spread of heresy throughout his territory, the prince tried to convince his cousin, Elector Friedrich, that the "doctor from Wittenberg" was really acting like a "bishop of heresy from Prague." As proof, he presented not only Luther's writings but also his personal relationships to the Hussites. Through his own Bohemian contacts, George was informed of a visit to Wittenberg by a delegation of Utraquists.[79] He emphatically warned the Elector of the dangers to their homelands. The duke was already receiving reports that since Luther's emergence, more than 6,000 people had converted to Hussitism in Bohemia.[80] Further evidence to support his fears was to be found right on his own doorstep. Both George and Emser were aware that directly across the Elbe River in the Altendresden monastery, Augustine hermits were studying Wycliffe and Hus. The prince's reaction was to be expected; he accused the monks of being followers of their brother from Wittenberg.[81]

Two years later, this perception was transferred from Luther's person to the Evangelical movement, which by the winter of 1521–22 was active throughout the Electorate of Saxony. Alarmed, Duke George still saw the source of trouble to be Bohemia and wrote that in Wittenberg they offered the chalice "the way heretics do in Bohemia." To encourage the Ernestines to oppose the heresy, George also made an issue of geography. Since he was able to suppress the heresy among his subjects, although "they lived much closer to it than those [Ernestine subjects] in Zwickau or Wittenberg," then the Ernestines should

78 "[…] *pluries adhortabar dominum Ernestum prepositum nostrum* […] *non ex vano id agi praeposito, sed causa reformationis, fructus ecclesie*." Ibid.

79 Duke George's letter to Friedrich, 1519 (like n. 45).—Luther did indeed maintain contact with Hussite clergymen after the Leipzig disputation, which intensified in the following years. See WA, Vol. 2, 656, n. 1; Brecht, Vol. 1, 316; Vol. 2, 78–82; Schlenz, 85 f. Regarding the controversy about Hus and the Hussites in evangelical pamphlets, see Hoyer, "Hus."

80 George's letter to Friedrich, 1519 (like n. 45).

81 See Duke George's letter to chancellor Dr. Johann Kochel, Schellenberg, December 2, 1521, ABKG, Vol. 1, 215 f.; Hieronymus Emser, *Quadruplica auff Luters jungst gethane antwurt, sein reformation belangend* (1521), Enders, Vol. 2, 129–183, here 176 f.

be able to do the same.[82] The prince felt that heresy was an acute danger to the souls of the people entrusted to him. Planitz quoted George's worries about Luther's impact, "When his grace does not act with force against this, his entire land will become heretical, with everyone accepting Bohemian ways and the Utraquist communion."[83] At the same time, however, equating Luther and the Hussites revealed a path to successfully confronting the danger by using proven tools of church governance. Just as George had successfully opposed the Hussites in the past, he intended to do the same with Luther's followers. The basic pattern of church politics already existed with which to resist the Reformation.

Identifying Luther as a Hussite provided Duke George with an explanatory model of the Reformation that was decisive for his political actions. This perception, whether right or wrong, allowed him to assess Luther and, shortly after, the entire evangelical movement from the very beginning. For George, this equation was not merely a metaphor, but a firm belief that the two movements were directly connected. This explains why, early on, the duke was convinced that Luther's doctrine was heretical and dangerous to its core. A look at George's confrontation with the pre-Reformation threat from the Hussites makes clear just how the prince came to be so determined in his anti-Lutheran church politics, and where he found the methods with which to confront the threat.

3 Inventing Anti-Lutheran Church Politics (1519–1521)

By publicly supporting the layman's chalice, Luther had already become a heretic in Duke George's eyes. This was even before he had completely developed his theological program in 1520. As Luther became the voice of church reform and criticism against Rome throughout the empire, George was the first imperial prince to openly oppose him. This decision went beyond personal animosity and led to far-reaching consequences. With no outside pressure, the duke began to direct his church politics against Luther. First and foremost, he tried to protect his territory against heretical doctrine, but soon his actions extended far beyond his own borders. Feeling responsible for the entire house of Wettin, George tried to convince the Ernestines of the threat imposed by

82 Duke George's letter to Duke Johann the Elder, Schellenberg, November 21, 1521, ibid., 208–211.

83 Hans von der Planitz's letter to Elector Friedrich, Nürnberg, January 2, 1522, Virck/Wülcker, 58–62.

their university professor. As a motive, one must consider his strong personal interest in reform issues. It was his personal efforts for a renewed church that led George to distribute the ninety-five theses, and to organize the Leipzig disputation, so he had to ask himself if his actions might have caused damage to the church by providing the heretic with a forum. Now that the "false prophet" had been uncovered, it became imperative to vanquish him. This was especially so, since the illusion seemed to persist throughout the empire that Luther would bring the right kind of reform and recovery to the church.

The first phase of anti-Reformation politics was directed toward Luther as a person. Duke George's primary goal was to see the monk from Wittenberg condemned as a heretic and his writings banned in his territory. From the beginning, he sought these goals on different levels. To do damage to Luther directly, it was necessary to conduct a diplomatic offensive targeting the Ernestine cousins, the empire and the curia for discussions. Simultaneously, initial steps were taken to prohibit Luther's books—many of which had been printed in Albertine Saxony. This first phase came to an end with the emergence of the evangelical movement in the winter of 1521–22. With this, the threat had reached a new level.

3.1 *First Measures Against Luther's "Sermon"*

The first political measures that Duke George took against Luther developed out of the sermon affair. They began with the above-mentioned hand-written letter to Elector Friedrich of December 27, 1519 in which he referred to the Hussite spirit of the sermon. George urgently wished to have Luther convicted as a Bohemian heretic and warned the Elector of the growing dangers to Wettin lands.[84] During the following period, such allegations and attempts to persuade his Ernestine cousins became a standard routine in Duke George's anti-Lutheran church politics. In early 1522, they reached a climax when the excommunicated and outlawed Luther returned from the Wartburg castle to Wittenberg. Although the duke had not achieved his goal, correspondence from Friedrich the Wise indicated just how much he had felt pressured by his cousin.[85] Nonetheless, George did not seek a public confrontation with Luther at that point. This explains why the reformer was slow to realize that the Albertine had been working against him.[86]

In December of 1519, the second measure was clearly in the tradition of pre-Reformation church governance. George began his action against Luther's

84 George's letter to Friedrich, 1519 (like n. 45).

85 See ch. 17, section 2.

86 The first documents are from October and November 1520. See Kunst, 289.

sermon by enlisting the territorial bishops. Having received copies of Luther's text from the prince, both prelates were to hold discussions with their cathedral chapters and then coordinate with George.[87] Johann VII of Meissen was a particularly cooperative partner in the duke's church politics. At his suggestion, the bishop and his cathedral chapter met with the prince in Dresden for discussions. Significantly, it was not the bishop who invited the cathedral chapter; it was George who sent a messenger to order the chapter to appear at court. As an expert in Hussite matters, Ernst von Schleinitz, the cathedral provost of Meissen and Prague, also attended, a further indication of how Luther was perceived.[88]

Because of the duke's actions, a mandate was issued by the bishop in January that all copies of the sermon would be confiscated by the clergy in the Meissen diocese. This was the very first anti-Lutheran act by a German bishop. Among other reasons, the measure was justified by the danger posed to his bishopric, which bordered on Hussite territory ("*potissimum diocesi nostra, quae terris illius scismaticis et damnati erroris vicina existit*"). This highlighted the connection to Duke George's anti-Hussite church politics.[89] Consideration was also given to a ban on the sale of Luther's text at the Leipzig New Year's market as well as a ban on any reprints in Leipzig.[90] Adolf of Merseburg was somewhat more restrained regarding George's offensive, which indicated some residual resentment about the Leipzig disputation.[91] When he rejected Johann's mandate in a derisive pamphlet, Luther appeared not to realize that Duke George

87 Duke George's letters to Johann VII and Adolf, 1519 (like n. 46).—This plan was repeated, for example, in September 1520, this time with reference to Luther's *Letter To the Christian Nobility*. See Bishop Johann VII of Meissen's letter to Duke George, Stolpen, September 6, 1520, ABKG, Vol. 1, 132.

88 Bishop Johann VII of Meissen's letter to Duke George, Stolpen, January 1, 1520, ibid., 114.

89 Bishop Johann VII of Meissen's mandate, Stolpen, January 24, 1520, WA, Vol. 6, 151–153 (as documented in the appendix to Luther's public response under the title *Ad schedulam inhibitionis* [...], ibid., 142–153). See also Lobeck, 54–59.

90 See Bishop Johann VII of Meissen's letter to Duke George, Stolpen, January 1, 1520, ABKG, Vol. 1, 114; Duke George's letter to Bishop Adolf of Merseburg, Dresden, January 13, 1520, ibid., 115 f.

91 Adolf accused Luther of agitating the common man. See Martin Luther's letter to Bishop Adolf of Merseburg, Wittenberg, February 4, 1520, WABr, Vol. 2, 24–27 (answer to a lost letter of the bishop's); Bishop Adolf's letter to Martin Luther, Merseburg, February 25, 1520, ibid., 52 f.—There is little difference in positions between the letters of Adolf and George. See Bishop Adolf's letter to Duke George, Merseburg, January 20, 1520, ABKG, Vol. 1, 116. This also reveals statements about the bishop in a letter of April 1522 from the chancellor of the Saxon Electorate, Dr. Gregor Brück, to Elector Friedrich. See Fraustadt, *Einführung*, 38.

stood as the grey eminence behind the bishop's actions. However, the Dresden files clearly indicate who was really in charge. When Luther's pamphlet appeared in print, Duke George personally formulated a response that was communicated to the bishop and delivered under his name.[92]

George's ban on the sermon pointed the way toward further censorship. The combination of measures included banning the printing and sale of pamphlets and confiscating those in circulation among his subjects. In addition to these restrictions, the prince gave his support for anti-Lutheran pamphlets in a struggle against Luther to win back hearts and minds.[93]

3.2 *The Papal Heresy Trial and the Imperial Diet of Worms*

The other goal of Duke George's anti-Lutheran church politics was to see Luther convicted of heresy. At the end of 1519 when George decided to oppose Luther, the prosecution for heresy had already begun in Rome. Instead of just another appeal to the curia, George decided to support the cause by urging the theological faculties in Erfurt and Paris to condemn Luther's positions at the Leipzig disputation. Although the scholars in Erfurt avoided taking action, the Sorbonne denounced Luther's doctrines on April 15, 1521.[94] The considerable amount of money needed to secure an answer from Paris was paid by Duke George himself. Contrary to Martin Brecht, I believe references in the Paris judgment confirm that the Leipzig disputation was indeed condemned by at least one of the two examining authorities.[95]

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92 See George's notes for the bishop of Meissen [after February, 17, 1520], ABKG, Vol. 1, 116 f.; see also Lobeck, 57–60.

93 See ch. 23.

94 See Brecht, Vol. 1, 321 f.—While both of the debaters agreed to the judging authority, it was George's responsibility as a host to secure both the judgments. For this purpose, the minutes of the disputation had been given to him.

95 An entry in the files of the Paris faculty which makes reference to Duke George's letter from July 17, 1520 (see ABKG, Vol. 1, 144, n. 1) speaks clearly of the "*librorum et disputationum Leuter*" as well as the "*libellus disputationum*," which were the minutes of the disputation sent to Paris by George in October 1519 as a basis for judgment. Afterward, George must have paid the printing costs for the disputation files and the fee of the Paris commission, which was estimated by his procurator Thomas Gramaye in December 1519 to be about 25–30 gold crowns for each of the 24 members. Otherwise, the faculty would not have convened and George would have been unable to push so energetically for a judgment in November 1520. See Duke George's letter to the University of Paris, Dresden, October 4, 1519, ibid., 100 f.; Thomas Gramaye's letter to Duke George, Antwerp, December 1519, ibid., 109 f.; Letter from the same to the theological faculty at Paris, Antwerp, November 10, 1520, ibid., 144–146.

In 1520, Duke George followed the progress of the trial in Rome enthusiastically. With the local bishops similarly disposed, Johannes Eck had no difficulty in posting the bull threatening excommunication on the cathedral gates at Meissen and Merseburg that September.[96] Only the University of Leipzig voiced formal concerns because the copy of the bull appeared to be poorly verified.[97] When the recall deadline came and went, the Saxon bishops ordered all Lutheran texts to be surrendered. On January 23, 1521, Luther's books were being burned in Merseburg while in Leipzig they were still being sold in public.[98] In close cooperation between the prince's counselors and Bishop Adolf, the prohibition and confiscation of all Lutheran texts was decreed in the university town. To avoid possible public resentment, they chose not to ring bells or hold any processions.[99]

At the Diet of Worms, Duke George must have recognized that his strict anti-Lutheran attitude was not shared by a majority among the Estates of the empire. However, by submitting an imperial mandate at the start, the emperor

96 See Kohnle, *Reichstag*, 49 f.

97 Along with the printed bull, the university was not satisfied with just a letter from Eck. Doubts about the bull arose from the fact that only the cathedrals of Brandenburg, Meissen and Merseburg were mentioned as places of publication. Therefore, the documents were shown to Duke George, who submitted a written query to the papal envoy about their authenticity, "Unless informed otherwise, we will assume that such bulls would not just be authentified by fraudulent letters, but should be delivered with proper formality, notarization and witnesses, etc." (Duke George's letter to Dr. Johannes Eck, Leipzig, October 18, 1520 ABKG, Vol. 1, 140 f.). The reason for this hesitation has less to do with George's criticism of the papal judgment (as Armin Kohnle considers) but more to do with Luther widely proclaiming that the excommunication bull was an illegal fraud perpetrated by the Dominicans. Because of this allegation, it was necessary to try to prevent doubts about its authenticity, especially since Luther had followers in Leipzig. George also thought it could have been a provocation by Luther, as he apologetically wrote to Eck, "I am concerned that this might all be contrived." Eck wrote a prompt response that calmed the duke's fears, but it is not clear if the bull was instantly published in Leipzig. It has been confirmed, however, that it was posted on April 6, 1521. See Dr. Johannes Eck's letter to Duke George, Ingolstadt, October 30, 1520, ibid., 143 f.; Letters from the Dukes Johann the Younger and Friedrich the Younger to the Leipzig municipal council, Dresden April 6, 1521, ibid., 161; Kohnle, *Reichstag*, 50.

98 See Bishop Adolf of Merseburg's letter to Cäsar Pflug, Merseburg, January 17, 1521, ABKG, Vol. 1, 147 f.; Mandate and notarial document of the same, Merseburg, January 16 and 23, 1521, Grundig/Klotzsch, Vol. 2, 309–311.—In the same year, the archpriest of Dresden, Gregor Walther (George's former chancellery scribe) burned Luther's texts in Dresden. See ABKG, Vol. 1, 255, n. 1.

99 See Kohnle, *Reichstag*, 50 f.

made his intentions clear that he wished to enforce the papal judgment under imperial law. The Estates demanded a hearing for Luther, partly for tactical reasons, but also because Electoral Saxony wished to thoroughly discuss the charges. There was a chance that Luther could save himself by retracting some of his stated beliefs and becoming a spokesperson for church reform.[100] Nuntius Girolamo Aleander reported to Rome with alarm that the discussion at the diet was dominated by the linking of the *Causa Lutheri* with the general wish for church reform.[101] This was the message delivered by Ernestine diplomats, and it was already anchored in public perception by Luther's *Letter to the Christian Nobility*.

Duke George stood in complete opposition. He was dead set against Luther, but just as vehement in his demands for church reform and general councils, leaving him largely isolated among the Estates. While George felt that there was basic agreement between the emperor and himself, Charles V was forced to maneuver diplomatically.[102] The papal nuntius Aleander, on the other hand, was irritated by George's strong support of the gravamina. George's position of reform instead of Luther clearly fell on deaf ears in Rome. The Albertine subsequently received a written warning from the pope instructing him to remain loyal to Rome when it came to Luther. This was a telltale sign of how little the pope distinguished between reform issues and the Luther affair, not to mention how disinclined he was to make any concessions.[103]

Despite being elected to the leading body of the diet—the Grand Committee of the estates—under these conditions, George's influence remained minimal.[104] Nonetheless, he took the opportunity to participate in the Estates' second and inconclusive hearing of Luther on April 24–25. Whenever possible, he sided with the pope, for which he received more praise than the other princes from Aleander.[105] Although Duke George perceived the results of the diet, the gravamina, and the Edict of Worms as confirming his politics, he also saw obstacles to an empire-wide denouncement of Luther's heresy. Friedrich the

100 About the Diet of Worms, see Borth, 110–115; Kohnle, *Reichstag*, 85–104; Wohlfeil, "Wormser Reichstag"; and further articles in the Reuter anthology. About George's role, see also p. 185–189.

101 See Scheible, "Fürsten," 392.

102 See Scheible, "Fürsten," 393; Luttenberger, 297 f.; Wohlfeil, "Wormser Reichstag."

103 See Pope Leo X's breve to Duke George, Rome, March 16, 1521, ABKG, Vol. 1, 159 f.

104 See Scheible, "Fürsten," 372 f.

105 George's participation in Luther's hearing before representatives from the estates is confirmed in several reports. See RTA, JR, Vol. 2, 584, 602, 872, 897. About Aleander's praise, see ibid., 561, n. 1; see also Pope Leo X's breve to Duke George, Villa Magliana, May 4, 1521, ABKG, Vol. 1, 163 f.

Wise, who would have been the most affected by the edict, was able to avoid it, and the emperor, one of the few who took a hard line, gave higher priority to his war with France and departed the empire shortly after the diet.[106]

3.3 *The Beginnings of the Public Controversy with Luther*

The public controversy between Luther and George began at the close of 1522 with a dispute over Luther's note to Hartmut von Cronberg. However, this did nothing to change the premises of the duke's church politics. The issue was more about George defending his personal honor, which he felt had been attacked by Luther. On January 20, 1522, after a mandate was issued against him by the Imperial regime, Luther wrote to Hartmut von Cronberg with disparaging comments about Duke George's anti-Lutheran politics. In the printed version, which was released a short time later, no names were used; instead the "blister N." was mentioned. In December 1522, a pamphlet printed in Strasburg appeared in which (perhaps without Luther's knowledge) it was plainly written, "the blister Duke George of Saxony," who, "defies heaven with its fat belly, rejects the Holy Gospel, and intends to gobble up Christianity like a wolf swallowing a mosquito."[107] The outraged Albertine saw the pamphlet as a personal attack on his honor as a prince and a Christian and demanded that Luther explain himself, "so that we know how to regard this attack upon our honor."[108] Luther's prideful and disrespectful answer made it clear that he was not about to apologize.[109]

For the injury to his honor, Duke George once more called for a confiscation campaign. He showed the letter to the imperial regime, the Ernestines, and even his brother Heinrich, asking for advice as to how to restore his honor. He described the details of Luther's insults to Friedrich the Wise—"our soul, honor and good reputation have been assailed,"—and stressed one in particular "that pains my heart the most: where Dr. Luther writes that we reject the Holy Gospel. Were that true, then we would be the heretic."[110] Of course, no one—not even the Ernestines—ever considered that Luther might be right.[111]

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106 See also Wolgast, "Territorialfürsten," 414 f.; Luttenberger, 301–307.

107 Martin Luther, *Ein Missive allen denen, so von wegen des Wortes Gottes Verfolgung leiden, tröstlich* (1522), WA, Vol. 10/2, 53–60; the later printing from Strasbourg is quoted here. ABKG, Vol. 1, 401, n. 3. About this matter, see Kunst, 289 f.

108 Duke George's letter to Martin Luther, Dresden, December 30, 1522, ABKG, Vol. 1, 407 f. (printed under the wrong date: December 28).

109 See Martin Luther's letter to Duke George, Wittenberg, January 3, 1523, ibid., 418.

110 Duke George's letter to Elector Friedrich, Dresden, January 17, 1523, ibid., 438–440.

111 See Duke George's letter to governors and the imperial regime, Dresden, February 4, 1523, ibid., 456–458; Letter from the imperial regime to Duke George, Nuremberg, February 28, 1523, ibid., 472 f.; Duke Heinrich's letter to Duke George, Freiberg, February 10, 1523,

With this, George was able to protect his reputation and also pressure the Ernestines. After evading the issue for months, Friedrich the Wise was finally forced to give an opinion as to how to act against Luther. Just how difficult this was for him as Luther's patron is shown by his convoluted answer, "If, as George claims, Luther truly is a converted heretic and a perjuring monk, then George must expect that a confrontation with him will result in insults to his honor!"[112] In the end, the duke knew how to milk political capital from his dispute with Luther by increasing the pressure on the Ernestines. In later controversies with Luther, he also decided to use pamphlets to defend his point of view to the public.[113]

However, George always rejected any conspiratorial plans against Luther's person, such as abducting him from Wittenberg or making an attempt on his life. In 1523, when his advisors made suggestions along these lines,[114] George ignored them. He also rejected Luther's accusation in 1529 that he had declared a vendetta. The duke responded that if he had actually done so, Luther would have already suffered from it long ago. Considering the fact that George had access to spies in Wittenberg, this was probably not an exaggeration.[115] Now, however, when Luther traveled, he had to scrupulously avoid Albertine Saxony. In 1522 a warrant for his arrest had already been issued in Leipzig.[116] Regarding church politics, however, the status in the battle of words between the prince and the Reformation had not actually changed. The fundamental points of disagreement went far beyond personal animosities. This is also the reason that Luther's famous letter of apology, written in 1525, was not a basis for discussion.[117] It is no exaggeration to state that Duke George's church politics were never dominated by his personal dispute with Luther.

460–462; Duke Johann the Elder's letter to Duke George, Weimar, February 11, 1523, ibid., 462 f.

112 See also ch. 17, section 2.

113 See Becker, 219–238.—About further developments in the controversy between Luther and George, see the literature in n. 4.

114 "It has also been considered to search for Luther and deliver him unannounced into the hands of your grace." Advisory report to Duke George from his councillors. [January 3–17, 1523], ABKG, Vol. 1, 419–421.

115 See Becker, 238.

116 In the background, there was hearsay that Luther was residing incognito in Leipzig. See Duke George's letter to Duke Johann the younger and Duke Friedrich the younger, Nuremberg, February 5, 1522, ABKG, Vol. 1, 264–268.

117 See Martin Luther's letter to Duke George, [Wittenberg] December 21, 1525, ABKG, Vol. 2, 459–461; Duke George's letter to Martin Luther, Dresden, December 28, 1525, ibid, 472–478. See also Kunst, 292–294.

The Albertine church politics against Luther's person were a mixed success. With the denouncement and condemnation of Luther, one of the Albertine's main goals had been achieved with little exertion on his part. The duke had not been completely inactive, however. Having the Sorbonne condemn Luther and enforce the excommunication bull in his territory were significant accomplishments. Suppressing the printing of Luther's texts in Leipzig from 1521 was another clear sign of progress. However, these successes were offset by the Ernestines' obvious disregard of all heresy convictions. Even though George put pressure on his cousins, it was ineffectual.

From 1521 on, despite his best efforts, Duke George was forced to witness the isolated controversy surrounding Luther exploding into a religious and social mass phenomenon. From the beginning, the prince's point of view was unequivocal: a heretical movement on an unprecedented scale was spreading from Wittenberg and directly threatening his territory. By comparison, the possibility of taking some sort of action against Luther's person faded more and more into the background. Considering the unyielding position of the Ernestines after 1522, George no longer made a serious effort to try to remand Luther to the emperor. However, the duke's judgment of the reformer remained unchanged.

Regarding the duke's church politics against the Reformation, the fact remains that he took up the fight earlier than any other imperial prince.[118] This prepared him for the role of uncompromising opponent of the evangelical movement in his own land. In Albertine Saxony the Reformation had to face severe headwinds from the very start.

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118 For a long time, even the dukes of Bavaria saw Luther as the protagonist of church reform and criticism against Rome. It wasn't until after the Diet of Worms that they turned against him. See Kohnle, *Reichstag*, 137 f.

CHAPTER 16

"The Damned Lutheran Sect": How George of Saxony Saw the Evangelical Movement[1]

Brought through the spirit of the devil,
it is common practice these days,
that those who are stirred up by bitter envy,
act in the ways of their father.
They wish to reform the whole world,
but have not the least self-control.
For it is in their nature,
to write lies and deceit;
As once their father had lost God's grace,
by acting in the same dishonest way.
This is how they can be recognized,
however deceitful they are:
they want to be called evangelists,
while they spread their poison under this noble name,
and cast doubt upon the truth,
whatever it may help them.
So many are deceived as it is obviously the case,
but their poetry is all lies.[2]

1 The quote comes from Duke George's 1524 correspondence accusing members of the local gentry, the brothers Von Minckwitz zu Sonnewalde, of "being members and followers of the damned Lutheran sect." Duke George's letter to the Von Minckwitz zu Sonnewalde brothers, Dresden, December 5, 1524, ABKG, Bd. 1, 771 f.

2 Duke George's poem, without date, loc. 8994/11, fol. 1. Duke George's handwritten document is titled "A new poem about the continuing lies by those who have accused the bishop of Meissen, that he would have (in order to provoke) omitted the words: God's word remains eternal." The apparent reason for writing the text was the Evangelical attacks against the bishop of Meissen, possibly due to his actions against their movement in concert with Duke George. About the various interpretations of the ambiguous term "zcu possen," which might be translated as "in order to provoke," see Lobeck, 33, n. 55; Becker, 164–166.

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1 The Evangelical Movement in Albertine Saxony

When did the Reformation begin? If defined as a religious mass movement to rebuild the church upon changed beliefs, then its birth took place in the winter of 1521–22. At the time, the religious renewal in Wittenberg was spreading, encouraging the clergy and laity to take common action. The Evangelical movement had been born.[3] Led by Karlstadt, the activists from Wittenberg turned from word to deed, bringing a new quality to the Reformation by breaking taboos in the liturgy and provoking the traditional-minded clergy. Soon, Gabriel Zwilling of Eilenburg followed their example, and a group of radical chiliasts formed in Zwickau, known as the "Zwickau prophets." A short time later, the first of "Martin's disciples"[4] began to attract attention in Albertine Saxony.

Luther's teachings had already spread throughout George's duchy. This was facilitated by its proximity to Wittenberg and the closely entwined structure of the Wettin territories. By the end of 1517, a first printing of the ninety-five theses had already been distributed in Leipzig, even before anyone had thought to do so in Wittenberg. In the following years, Leipzig was among the most important printing and distribution centers of Luther's texts.[5] The Leipzig disputation of 1519 gave the local elites the opportunity to meet Luther in person. Some were won over by him, including Johannes Poliander, rector of the St Thomas school, and also the humanist Heinrich Stromer of Auerbach.[6]

In the winter of 1521–22, the Evangelical movement had spread to both large and small towns in the duchy.[7] Priests, preachers, schoolmasters, vicars, traveling masters and runaway monks carried the evangelical message forth. Leipzig stands out as an early and especially lively center of Luther's movement, where not only a large number of citizens joined, but also masters and students from the university. In Dresden and Meissen, there was less activity since the populace apparently remained loyal to their traditional beliefs well into the 1530s. When evangelical preachers appeared out in the countryside, there were usually patrons from the gentry providing support in the background, such as the

3 See Mau; Müller, *Wittenberger Bewegung*; Bubenheimer.

4 Duke George's letter to Duke Johann the Elder, Schellenberg, November 21, 1521, ABKG, Vol. 1, 208–211.

5 See ch. 23, section 2.

6 See Bornkamm, "Reformation in Leipzig," 143–147; Volkmar, "Wahrnehmung des Neuen"; id., "Ein zweites Sodom."

7 About the following, see especially Wartenberg, *Landesherrschaft*, 23–63. Through an overview organized according to districts, Günther Wartenberg has been able to show the local differences within the Evangelical movement. See also Ludolphy, "Kampf"; Junghans, "Ausbreitung"; Hoyer/Schwarz.

brothers Von Minckwitz zu Sonnewalde.[8] On the other hand, rural communities in Saxony were rather slow in reacting to the new teaching, in contrast to the evidence from southern Germany.[9]

The extent and strength of the Evangelical movement varied greatly from place to place. Günther Wartenberg is justified in stressing that the old statement of Franz Blanckmeister that "the entire country was secretly Lutheran," was in fact an inaccurate generalization.[10] Categories of social history alone do not adequately explain regional variations. While there were many Lutheran sympathizers among the miners in the boomtown of St Annaberg, the East Saxon mining town of Altenberg remained a bastion of traditional believers. One important factor seems to have been the geographical distance from Ernestine areas. Dresden and Meissen were far away from Electorate Saxony, while Leipzig and the bishop's territory of Wurzen were closer and much more exposed. Just from the proximity to Ernestine Buchholz, Duke George was able to see that his Annaberg defenses were dubious. Quoted by Planitz, the duke said that, "due to Buchholz being so very close, I was unable to suppress it in St Annaberg."[11]

The Evangelical movement reached its greatest momentum between 1521 and 1525. The fast pace of this development was reflected in Duke George's correspondence in passages such as, "in these quickly moving currents."[12] Similarly, modern revolution theory speaks of "all revolutions being marked by an enormous acceleration of time."[13] Thus, the duke's choice of words seems to indicate that he saw himself faced with a revolutionary upheaval.

But the duke was not just a spectator. His actions against the movement played a decisive role in its chances for success, especially since the authorities did enjoy support from many quarters. Not only did the majority of the Albertine Estates and the university back the prince,[14] but broad portions

8 About the attempts of the Minkwitz family to introduce the Reformation into their domain of Sonnewalde in Lower Lusatia, as well as Duke George's counter measures, see Welck, 106–110; Lehmann, *Lausitz*, 208 and ABKG, Vol. 1, passim.

9 See. Blickle, *Gemeindereformation*.

10 Blanckmeister, 119; see also Wartenberg, *Landesherrschaft*, 24.

11 Hans von der Planitz's letter to Elector Friedrich, Nuremberg, January 2, 1522, Virck/Wülcker, 58–62.

12 Duke George's letter to the bailiff at Sangerhausen, Dresden, July 16, 1524, ABKG, Vol. 1, 704–706.—In 1524, George laconically attributed the decline of the Königstein monastery to "current events in the world." Duke George's letter to the Celestine monastery and its prior at Oybin, Dresden, May 16, 1524, ABKG, Vol. 1, 671 f.

13 Meuschel, 5.—About this perception, see also Schubert, "Fürstenreformation."

14 See Wartenberg, "Luthers Beziehungen," 563; id., *Landesherrschaft*, 60–63.

of the populace held tight to traditional piety and the church, regardless of whether it was unreflective conservatism or a conscious decision. Under the protection of the prince, late medieval piety was preserved in many places. This only came to an end with the duke's death in 1539. One well-known example is the veneration of St Benno of Meissen, which reached a high point in 1524 with the elaborate celebration of his canonization. The cult of Benno was practiced until the relics were destroyed under Henry the Pious in 1539, who, after succeeding to the throne, began to implement the Reformation.[15] Up through the 1530s, however, the number of donations to masses still continued to grow, as examples from Leipzig and Dresden show.[16] Furthermore, as if reform-minded criticism of the pope and indulgences did not exist, the mining town of Altenberg also made an effort to extend its papal fasting dispensation as well as its jubilee indulgence, in 1523. These appeals by Altenberg had Duke George's full support, "considering that to date, none here have been contaminated by Lutheran poison, nor have they tolerated or accepted it."[17]

In some areas, there was even open hostility to Luther. On a Leipzig merchant's palace, a stone relief was installed in 1535 urging victory over Luther by the pope and emperor.[18] The people of Altenberg also took a public stand against Luther. Just as the evangelicals in Buchholz held a procession to ridicule Benno's canonization, the traditional Catholics in Altenberg also held a ritualized presentation.[19] On Lent Sunday in 1522, "men and women, young and old," led an effigy of Luther to a mock heresy court where it was roundly convicted and then burned on the highest nearby hill.[20]

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15 See Volkmar, *Heiligenerhebung Bennos*.

16 About Dresden, see Butte, 188 f.; about Leipzig, see Domstiftsarchiv Merseburg, Cod. 174, "Confirmationes Geistlichen Lehn […]," 1454–1540 and see p. 362 f., e.g. the Wiedebachsche Stiftung.

17 Duke George's letter to Bishop Johann VII of Meissen in Rome, Dresden, January 4, 1523, ABKG, Vol. 1, 421–425.

18 See now Volkmar, "Gegner der Reformation."

19 About the mock procession at Buchholz, see Volkmar, *Heiligenerhebung Bennos*, 172–180.

20 "In the year of our Lord 1522, Martin Luther's new non-Christian untruths were brought to court as an effigy dressed like Luther. Before man and woman, young and old together, the judge and bailiff condemned this figure for these charges (as if an actual leader of the heretics) to be burned in a large basin atop the highest nearby hill; as directed by the court, 25 massive pieces of wood were obtained for the burning on Lent Sunday at 7 o'clock so that this scene and the smoke could be seen in far-off Bohemia." Lindner, col. 1529.—Felician Gess, who finds the event at Altenberg poorly documented (see ABKG, Vol. 1, 424, n. 1), apparently missed the entry in the Monachus Pirnensis chronicle. Despite the chronicle

The Evangelical awakening and Catholic persistence were the two opposite poles in an openly historical situation where the confessional future of Saxony remained undecided. How matters were to proceed was clearly in the hands of the Evangelicals. In this regard, the situation was similar to that in all the other territories in the empire. Therefore, much would depend on the actions of the prince.

2 The Decision to Fight against Heresy

The developments during the winter of 1521–22 were not lost on Duke George. With alarm, he noticed that the isolated *Causa Lutheri* had expanded into a dynamic religious movement.[21] He had already warned the Ernestines in November 1521 about the new development. The adversary was no longer just Luther and his close associates, but also a growing number of priests, monks and laymen, all simultaneously active in various locations. The conflict had reached a new dimension.

George's attitude toward this expansion was absolutely clear. Since Luther was a prophet of the Bohemian heresy, the uprising inspired by his concepts must therefore be a heretical movement.[22] For the duke, proof of the Hussite spirit was to be found in the practice of the Eucharist in Wittenberg, where "the Holy Sacrament was offered to both clerics and laymen [...] just as the heretics in Bohemia do." The degree to which the idea of a causal relationship between the Hussite heresy and the Evangelical movement dominated George's perception is shown by a comment stating that his own subjects "are living closer to it than those of Zwickau or Wittenberg." In the eyes of the duke, the proximity of his lands to Bohemia increased the danger of contamination from the heresy.[23] It is a vivid expression of the sentiment that Bohemia was actually the source of the entire Reformation.

Signaling Duke George's reaction to the Evangelical movement, this assessment had far-reaching consequences. Unlike his peers, the duke had practical experience with heretics; specifically, in defending against Hussites in

being somewhat inexact, it seems unlikely the Dominican from Pirna would just fabricate the events he reported from nearby Altenberg.

21 The change in George's point of view is first made clear in a letter to Duke Johann the Elder from November 1521 as quoted below.

22 About the perception of the Evangelicals as the new Hussites, see ch. 15, section 2.

23 Duke George's letter to Duke Johann the Elder, Schellenberg, November 21, 1521, ABKG, Vol. 1, 208–211.

the Saxon-Bohemian border regions.[24] His experiences and successes could now be fed directly into his princely church governance, providing applicable models for his Counter-Reformation politics.

When the Evangelicals first appeared, George was already prepared to use the power of his authority against the new heretics within his territory. After a discussion in Nuremberg on New Year's Day, 1522, Planitz recounted the duke's position: "When his grace does not act with force against this, his entire land will become heretical, with everyone accepting Bohemian ways and the Utraquist communion. It is his intention, however, to put up a powerful defense."[25] According to Luther's memory, George had already made assertions along these lines at the Diet of Worms. He later quoted the duke as having said, "In my territory, dear sirs, we will indeed put up a fight."[26]

Such uncompromising statements hardly fit with our modern concepts of tolerance and suggest the blind zealotry of religious fundamentalists. To evaluate the prince as being extreme, however, would be an ahistorical judgment. In early sixteenth century Europe, the majority of people felt that heresy should not to be tolerated. This was not only the view of traditional Catholics, but also of Lutheran authorities, evidenced by both sides taking action against the Anabaptist movement.[27] During the sixteenth century, as the schism of faith became permanent, there was more room for new concepts such as dissociation, coexistence and tolerance. Usually, however, this only occurred where the use of force was no longer a promising solution. Those imperial princes who were pro-Luther or neutral were no different from Duke George in their fundamental position on heresy, diverging only in their specific judgments about Luther and his concepts. This is where Luther's identification with the Hussites became so significant; it was responsible for steering George, more than other princes, to an early and forceful opposition against the Evangelical movement.

What were the premises for such a struggle? Medieval tradition provided clear rules. Supported by the Old Testament, it was permissible for Christianity to use force against heretics if they were irredeemable. Christian authorities were virtually obligated to be intolerant of heresy out of their duty to God and the responsibility to care for their flock. In acting against heretics as criminals and "murderers of the soul," secular authorities worked with the ecclesiastical justice system and took on the role of *Brachium Saeculare*. This included

24 See ch. 15, section 2.

25 Hans von der Planitz's letter to Elector Friedrich, Nürnberg, January 2, 1522, Virck/Wülcker, 58–62.

26 Quoted from Scheible, "Fürsten," 397.

27 See Gregory, 74–96.

assisting with law enforcement, remanding delinquents to ecclesiastical courts and carrying out corporal punishments.[28] However, just how far Duke George went in following this tradition with regard to the Reformation requires more precise examination. It is noteworthy, for instance, that not one of Luther's followers in Albertine Saxony was put to death for his or her beliefs.[29]

Two familiar medieval lines of argument re-emerge in George's comments: 1) the prince's duty to God; and 2) the patriarchal care of his subjects. Even before the Reformation, caring for the salvation of the laity had already played a central role in Albertine church politics. Using the same arguments, Duke George now tried to protect his subjects from Lutheran beliefs.[30]

George expressed what he saw as the responsibility of princes in his correspondence to the Ernestines during the winter of 1521–22. He reproached Friedrich the Wise for his wait-and-see attitude and for endangering his own soul through neglect of his princely duty to God: "Beware our Lord God's judgment and vengeance against those who should act properly but fail to do so."[31] Clearly, George was convinced that Friedrich had the power to thwart the Reformation. In February 1522, he explicitly made the accusation that "you have allowed people to do such things. However, if you would show your displeasure, you could surely dissuade them with little effort."[32] How the duke intended to act in his own lands, he stated in a letter of warning to the brothers Von Minckwitz zu Sonnewalde: "As a prince who has been vested with worldly authority by God himself, I wish to follow the Gospel of Christ; to head off these abuses and heresies, and not let them get out of control; as it is my right and duty."[33]

Unquestionably, George got to the heart of the matter on a political level. It was doubtful, however, whether in 1521 Friedrich the Wise was truly in a position to stop the Reformation. In any case, Friedrich's hesitation provided enough leeway for the Evangelical movement to flourish.[34] Relinquishing his

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28 See Gregory, 78–90; Feine, Vol. 1, 389–391; Fürst, col. 537.

29 See also ch. 21.

30 E.g., in the above-quoted prohibition of the September Testament. See the foreword by Duke George to Hieronymus Emser's edition of the New Testament, Dresden, August 1, 1527, ABKG, Vol. 2, 775–780.

31 Duke George's letter to Elector Friedrich [Schellenberg, after November 13, 1521], ibid., Vol. 1, 206–208.

32 Duke George's letter to Elector Friedrich, Nuremberg, February 2, 1522, ibid., 260–262.

33 Duke George's letter to the Minkwitz brothers, 1524 (like n. 1); see also the nearly identical letter from Duke George to the community at Kölleda, Sangerhausen, May 6, 1523, ABKG, Vol. 1, 502 f.

34 See Kirn, here especially 150–164; Bornkamm, "Friedrich"; Pallas, "Visitationsreise," 67–80.

princely church governance was perhaps the Elector's most important contribution to the Reformation. His successor, Johann, subsequently reactivated church governance to help push through the Princely Reformation.

Duke George, however, had not only decided to take up the fight against the Evangelical heretics, he also intended to use his most trusted weapon to ensure victory. He saw church governance as a powerful instrument that could reform the church and also play a decisive role in the struggle against heretical divergence.

3 George's Counter-Strategies: Sanctions, Counter-Propaganda, and Church Reform

Duke George's understanding of the Evangelical movement was not limited to the fight against heresy. His perception of the enemy, "the damned Lutheran sect,"[35] had many facets. In order to truly understand them, the Albertine's church politics must be seen within the larger picture. An image of one's enemy is formed through introspective thinking, and based on his analysis of the causes.[36]

What did George see as the reason for the sudden rise of heresy within the Holy Roman Empire? Three closely related aspects can be looked into with more detail: 1) the laity's disaffection due to abuses by the church and clergy; 2) the temptation to throw off ecclesiastical and secular authority; and 3) a yearning by many in the clergy to break from the rules of celibacy or monastic vows.

However, these reasons alone would not comprise George's entire analysis of the causes. He also considered the power of the devil's temptation as a very real factor in people's lives. Evil must have certainly been involved in any decision favoring heresy since heresy *per se* was the work of Satan, and Satan wished to destroy men's souls with false beliefs. As indicated by the poem quoted at the beginning of this chapter, Duke George saw the Evangelicals as incarnate children of the devil. This should come as no surprise, however, since it foreshadowed the "demonizing" of enemies that became the standard repertoire of confessional polemics.[37]

It must also be emphasized, however, that more than just a simple metaphor was involved. The idea of evil powers and their effects found its way into day-to-day politics. In early 1522, George inquired about the fate of a woman from Wölpern near Eilenburg: "On New Year's Day, she supposedly took

35 Duke George's letter to the Minkwitz brothers, 1524 (like n. 1).

36 About the perception of the Evangelical movement see also p. 571–573.

37 See Volkmar, *Heiligenerhebung Bennos*, 171 f. (with further literature).

communion under both kinds and was immediately possessed by the devil." The prince expressed no doubts about the story, but was concerned that an exorcism be competently executed since charlatans often became involved in such matters. He recommended an experienced Dominican from Pirna with the hope that while expelling the unholy spirit, perhaps "insider information" might also come to light: "We hope to find out from this spirit [...] what kind of evil the new Mamluks are up to."[38] Like Martin Luther,[39] Duke George was firmly anchored in late medieval thinking, and he took the effects of the devil at the double communion as a factual matter. However, his comparison of the Evangelicals to the Turks reinforced the opinion that Luther's movement was the new scourge, ordeal and punishment of Christianity. It is interesting to note how the woman from Wőlpern was ultimately rehabilitated; she was brought back to her senses using the traditional treatment for heresy—a solemn vow to go on a pilgrimage.[40]

But why were people more willing to succumb to heresy's devilish seduction? Like modern historians, Duke George considered a broad spectrum of non-religious motives. One obvious explanation was discontent among the laity due to abuses by the clergy, a phenomenon historians labeled with the easily misunderstood term "anticlericalism."[41] As one of the clergy's sharpest critics, no one saw this more clearly than the duke himself. Luther had also jumped on this bandwagon, and from his criticism of indulgences to his letter to the nobility, his general call for reform received much attention. George felt that Luther misused legitimate criticism by putting the entire church in

38 Duke George's letter to the Dukes Johann the Younger and Friedrich the Younger, Nuremberg, February 5, 1522, ABKG, Vol. 1, 264–268.

39 In the metaphysical assessment of his opponent, George was in good company with Luther. The reformer not only expected God's intervention in George's death, he also gave credence to the story of the devil appearing at the death of his adversary Karlstadt. See Gordon, "Malevolent Ghosts," 87–89 and see p. 454 with n. 5.

40 See the letter from Dukes Johann the Younger and Friedrich the Younger to Duke George, Dresden, March 12, 1522, ibid., 288–290.

41 The concept of anticlericalism, commonly used in the history of the Reformation (see Oberman, "Anticlericalism"; Blaschke, "Antiklerikalismus"), has come under strong criticism in Medieval Studies. Attention has been called to its somewhat anachronistic implication (a tendency towards secularization) and especially the nineteenth century political background from which it came. The question is whether "anticlerical" protests were a sign of the laity's disaffection with the church and their wish for emancipation from clerical "paternalism," or whether it should be taken as systemic criticism that targeted the clergy for reform to reinstate its central role within the church. See Elm, "Antiklerikalismus"; Schreiner, "Antiklerikalismus"; for the history of the Reformation, Hamm, *Bürgertum*, 72 f.

question and by seducing people to heresy.[42] Nonetheless, the strategy was clearly successful. Widespread dissatisfaction threatened to drive princes and the common man alike into the arms of the heretical movement.

George did not believe, however, that it was only anger over abuse that caused people to be taken in by Luther; he saw them as driven by less than honorable motives. When reformers preached about Evangelical freedom and faith as sufficient justification, the duke interpreted this as an invitation to immorality and laziness. He saw this as a seduction of the basest of instincts to break from ecclesiastical order. The prince considered Luther's best ally to be human weakness, which was also the position of Pope Hadrian VI in his famous confession of 1522.[43] The common man cannot wait to end the fast; the merchant happily talks his way out of paying for good works; and princes lust after the church's wealth. George believed that these motives carried more weight than anger about the church's inability to reform. He accused the imperial princes who supported the Evangelicals: "It is troubling that you love your meat and the clergy's large properties so much more than you dislike the abuses Martin Luther has recently begun to make."[44] Finally, George's personal concern was that a rejection of religious order would open the door to revolt against secular power, "not just a carnal, but also an animalistic and devilish indulgence, [...] a wanton and bloody insurrection."[45]

The duke associated support for the Reformation with the deterioration of morality. He held Luther up as proof: "Apparently, Luther made accusations against the monkhood and evicted monks from the Wittenberg monastery to make room for himself and his heretics. What had been accommodations for an entire convent are now just for him and his material comfort. What the master does, so does the student."[46] George believed it was Luther's and the Evangelical clergy's immorality and their inability to lead a spiritual lifestyle that caused rebellion against the church. The monks broke their vows,

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42 George formed this line of thinking retroactively in his foreword to Emser's edition of the New Testament: "Although Luther first began with the pretense of a supposed reform and improvement of abuses rooted in clerical and secular institutions, it was later revealed in word and deed that his disposition was not to improve but to overthrow." George's foreword to the New Testament, 1527 (like n. 30).

43 See Pope Hadrian VI's instructions for Nuntius Francesco Chieregati at the second Diet of Nuremberg, [Rome, September 1522], RTA, JR, Vol. 3, 390–399.

44 See Duke George's instructions for Dr. Otto Pack at the Diet of Augsburg and the Diet of Speyer, Dresden, December 26, 1525, ABKG, Vol. 2, 461–471.

45 George's foreword to the New Testament, 1527 (like n. 30).

46 George's instructions, 1525 (like n. 44).—For further discussion of this aspect, see ch. 20.

and "threw off their habits along with their discipline, shame and godliness."[47] The clergy were incapable of maintaining their celibacy, chose to wear secular garb and allowed themselves the pleasures of public houses.[48] The duke considered his subjects to be "wicked and thoughtless" enough to give in to these seductions.[49] Therefore, the prince felt that the Evangelical's had already discredited their positions through their own moral shortcomings: "They wish to reform the whole world, but have not the least self-control, " as quoted in his poem above.

However, for Duke George, this was not just about denigrating his opponents. He also saw his accusations and the portrayal of his adversaries as a deeper analytical explanation for the success of the Reformation. This perception of the Evangelical movement explains why his anti-Reformation politics were not limited to secular sanctions. Such a narrow view would have been a diversion from the broader strategy of trying to deprive the Evangelical movement of its fertile ground.

Well aware of how attractive the Lutheran movement was and how effective its propaganda could be, the prince attempted to expose the Reformation as a fallacious alternative with his own propaganda because "many pious and simple people are being seduced and deceived."[50] To try to win back their hearts and minds, he gave special attention to the mass media of the times—sermons and printed pamphlets.[51] The message conveyed was a positive image of the traditional church and its beliefs combined with an attack against Evangelical heresy and the questionable morals of its leaders.[52]

George was also aware that simply "carrying on" would hardly suffice in the face of his adversary's promise of a new and better church. A successful defense would have to provide a genuine counter-offer with specific solutions to the prevalent complaints about abuses. As a strategy for managing the crisis,

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47 George's foreword to the New Testament, 1527 (like n. 30).

48 One of the first Evangelical preachers in Saxony, Jakob Seidel, was described by George as a "a lying priest, who against his oath and vow to the Lord, did the following and boasted about it: he married his concubine […]; let his tonsure grow out; gambled and drank like a commoner; and frequently exhibited other vices." Duke George's letter to the council and community at Döbeln, Schellenberg, December 9, 1521, ABKG, Vol. 1, 227 f.

49 Duke George's letter to Duke Johann the Elder, Schellenberg, November 21, 1521, ABKG, Vol. 1, 208–211.

50 George's foreword to the New Testament, 1527 (like n. 30), 775, 780.

51 About the pivotal role played by book printing and preaching in communicating the Evangelical message, see Köhler, "Meinungsprofil," 244–248 (with a summary of significant literature by Bernd Moeller and Robert W. Scribner).

52 See also ch. 22 and 23.

the duke proposed strengthening church governance as well as a comprehensive church reform, "because, unfortunately, both the clerical and secular estates have strayed so far from Christian doctrine that a substantial reform is necessary from one end to the other."[53]

Reform instead of Reformation was the duke's offer. As a known critic of church abuses, the Albertine certainly had the credibility to propose such a program. In his struggle against Luther and his doctrines, the prince's long-established goal of reforming the church and the clergy took on a new urgency, which was a factor in deciding its success. To prevent the laity from turning away from the traditional church, George had to reinforce his call for specific steps toward church reform. The arguments given in his notes are somewhat stereotypical: Abuses by the church could not be tolerated "in these times when the church and its clergy are under siege. Otherwise, many people who are still loyal will be angered and become easy targets for the Lutherans."[54] Such reform had to encompass all elements of the church, not least of all the laity. George wanted to see reform for "both the clerical and secular estates." His reform was not just a counter-offer to the Reformation, it also promised to stop the moral decline of the clergy and laity. This was seen as the reason for their susceptibility to Luther's heretical doctrine and was therefore partially responsible for the success of the Evangelical movement. In the spirit of pre-Reformation debates,[55] Duke George considered reform to mean something more than just administrative measures; it was a call for the moral renewal of the individual to follow the commandments of God.

From the start, the duke not only took the Evangelicals to be a heretical Hussite movement; he also felt a princely duty to fight against them. This followed the traditional medieval struggle against heresy, but also called on his personal experience with the Hussites in the Ore Mountains. The recourse to pre-Reformation church politics was not confined to the duke's church governance with harsh prosecution and suppression; from the beginning, the Albertine knew that in order to fight effectively against the Reformation, the battle would have to be waged beyond sanctions. Therefore, diplomatic initiatives with other imperial princes were employed, along with anti-Reformation propaganda and censorship. In addition, traditional church reform politics were energetically asserted on all levels to present a positive alternative to the Reformation.

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53 George's instructions, 1525 (like n. 44).

54 Duke George's letter to Bishop Adolf of Merseburg, Dresden, April 12, 1524, ABKG, Vol. 1, 650 f.

55 See Wolgast, "Reform," 321 f.

CHAPTER 17

Church Politics against the Reformation in the Empire (1522–1525)

> We are astonished to find great fear of Luther throughout the Empire [...]. You should look into what the cause might be. If the reasons are honest and Christian, then we are being foolish to sit by so close to Luther and yet impose daily sanctions against him, and to punish those who support and follow his teachings.[1]

1 Imperial Diet and Imperial Regency Council

1.1 *The Regency Council Mandate of January 20, 1522*

With the Diet of Worms, George's anti-Lutheran politics became the official policy of the empire.[2] However, because of Luther's kidnapping and disappearance to the Wartburg castle, there was no need for further action. The situation changed in 1521 when the "Wittenberg movement" emerged.[3] In order to protect his own lands from heresy, Duke George tried to persuade the Ernestines to take action against the Evangelicals.

This is why George held negotiations in January of 1522 with the Ernestine chancellor Georg Brűck while traveling to the Regency Council in Nuremberg.[4] When these talks stalled, the duke decided to work toward his goals at the imperial level while still maintaining discussions with Weimar and Wittenberg.[5]

1 Duke George's letter to Dr. Dietrich von Werthern, his representative at the second Diet of Nuremberg, Dresden, December 11, 1522, ABKG, Vol. 1, 394–399.

2 See Emperor Karl V's edict, Worms, May 8, 1521, RTA, JR, Vol. 2, 640–659; also: Kohnle, "Wormser Edikt"; id., *Reichstag*, 85–104.

3 See ch. 16.

4 See Dr. Georg Brűck's letter to Duke Johann the Elder, [December 23–25, 1521], ABKG, Vol. 1, 232–235; Duke George's letter to Dukes Johann the Younger and Friedrich the Younger, Coburg, December 25, 1521, ibid., 235–237.

5 Negotiations were restarted on January 22, 1522 between counselors from both families. See the minutes from a Naumburg council diet, January 22, [1522], ibid., 252 f.

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Most important to him were the effects on his own territory. In light of the daily reports of Evangelical activity, George was reluctant even to travel. He feared that the movement would gain momentum among his subjects as soon as it became known that he had departed.[6] George appointed his sons governors and encouraged them to keep a close watch. They also kept the duke constantly informed in Nuremberg, from where he continued to implement his church politics at home.

It is therefore no wonder that Duke George immediately placed the activities in Saxony on the Regency Council's agenda. His struggle against the Reformation was now the dominant theme of the duke's political efforts within the empire. He quickly achieved some significant success. Despite their previous reticence, within just a few days the prince was able to persuade the council to address the religion question.[7] On January 20, 1522, a mandate against the Evangelicals was released that condemned every reform on Duke George's list of transgressions in Electorate Saxony.[8] Subsequently, George used every opportunity to stir up further opposition to Luther among the councilors and princes in Nuremberg.[9]

The Regency Council mandate was the first tangible success from Duke George's political engagement at the imperial level.[10] For the first time, an imperial law was instituted not just against Luther, but against the Reformation as a religious movement. It prohibited specific manifestations in the Liturgy, social practices and ecclesiastical order. This made the threat clearly identifiable both in symbols and activities, and punishable by any secular authority. This approach clearly bears Duke George's signature.[11] It was a departure from the Edict of Worms, which only dealt with false teachings disseminated by Luther and his "associates, followers, […] benefactors and successors."[12]

Furthermore, the Regency Council's mandate differed from the Edict of Worms in that it actually reached Friedrich the Wise, Luther's principal protector, which caused him great concern. The Elector was informed by Planitz

6 See Duke George's letter to Johann the Younger and Friedrich the Younger, 1521 (like n. 4).

7 George officially submitted his complaint to the Regency Council on January 14. See letters from Hans von der Planitz to Elector Friedrich, Nuremberg, January 2 and 16, 1522, Virck/Wülcker, 58–62, 67–69.

8 See the Regency Council Mandate, Nuremberg, January 20, 1522, ABKG, Vol. 1, 250–252. About the list of reforms and their meaning, see ch. 18.

9 See e.g. the letter from Hans von der Planitz to Elector Friedrich, Nuremberg, January 28, 1522, Virck/Wülcker, 71–75.

10 See also Kohnle, *Reichstag*, 105–107; Schulze, "Berichte," 68–72; Borth, 131 f.

11 For more details, see ch. 18.

12 Emperor Karl V's edict, Worms, May 8, 1521, RTA, JR, Vol. 2, 640–659, here 655.

of Duke George's role in the matter, and he expected further aggression from his restive cousin: "We are worried that this is meant to get at us, and that quick action is being taken by the man at Nuremberg."[13] It can be seen as a direct concession to the mandate that the Elector allowed the Catholic Bishop of Meissen to make a visitation to Meissen's areas in Electorate Saxony in the summer of 1522 in order to suppress Evangelical activities.[14]

For the first time, the Regency Council's mandate enabled George to successfully exert pressure on the Ernestines. Once again, the proven strategy of using the empire as a channel for attaining his goals had been effective.[15] Compromises were nonetheless unavoidable. The mandate was not as severe as Duke George's proposal, which would damn Evangelicals as heretics and ban them until pardoned by a future council.[16]

For George's politics at home, the Regency Council's mandate was actually inconsequential. Instead, the basis for prosecuting the Evangelical movement in Saxony was the duke's own religious mandate of February 10, 1522, which he had drafted simultaneously.[17] George's efforts in Nuremberg should be seen more as an attempt to activate imperial church politics against the Reformation. Indeed, the mandate was received not only by the Ernestines but also by Elector Joachim of Brandenburg, Count Palatine Friedrich, the dukes of Bavaria and a number of bishops.[18]

1.2 *Duke George's Politics Up to the Peasants' War*

After his term at the Regency Council,[19] Duke George continued to be a protagonist of imperial anti-Lutheran politics. In Armin Kohnle's examination of religious developments on the imperial stage, George is frequently seen in his role as the solo admonisher. From Dresden, he pushed the Regency

13 Elector Friedrich's letter to Haubold von Einsiedel, February 12, 1522, quote from Pallas, "Visitationsreise," 74.

14 See Kohnle, *Reichstag*, 109–112; Schulze, "Berichte," 70.

15 See ch. 7, section 2.

16 Also, the Regency Council did not inform the Emperor about the events in Ernestine Saxony, as George had proposed. See Kohnle, *Reichstag*, 106 f.

17 About the relation between imperial legislation and territorial mandates see ch. 18, section 2.

18 See Kohnle, *Reichstag*, 107 with n. 13, 143.

19 George was a member of the Regency Council in the first quarter of 1522. In his second term of office during the third quarter of 1523, he traveled to Nuremberg but did not regularly attend the council. In early 1525, the duke was only present for a single council meeting. See ABKG, vol. 1, passim; Kohnle, *Reichstag*, 130.

Council and the imperial diets to take measures against Luther.[20] The duke corresponded regularly with the council, bringing up Luther's scandalous writings,[21] informing them of orthodox clergymen who were under pressure from the Evangelicals,[22] and constantly encouraging more incisive action. After Luther's return to Wittenberg in 1522, the prince demanded an imperial intervention against him: "I would believe this to be the right time, since his whereabouts are now known." When the regime sent an evasive answer, George admonished that they should fear God more than Luther and the Evangelicals.[23]

At the Diet of Nuremberg, Duke George continued to urge enforcement of the Edict of Worms. Elector Friedrich should be ordered to arrest and hand over Luther, and to take steps against Evangelical priests, monks, nuns and laymen. Finally, a counter-Reformation preaching campaign was encouraged to ensure "that with good and proper teaching, commoners will be directed and led away from it [i.e. the Evangelical teachings]."[24]

While the imperial diets acted increasingly erratically, George stayed on course. He had the results of the Diet of Nuremberg and the Regency Mandate of March 6, 1523 announced at the territorial Diet of Leipzig, choosing to interpret the ambivalent and sometimes Luther-friendly wording as still conforming to the Edict of Worms.[25] He reacted to the results of the third Diet of Nuremberg in a similar way. George impressed the Edict of Worms firmly upon his subjects, arranging for several printings of it to be distributed. He also had the university and bishops prepare for the upcoming National Council at Speyer.[26] Just like the Evangelical princes, however, the duke paid heed to imperial decisions only as far as they legitimized his own interests.[27]

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20 See Kohnle, *Reichstag*, 105–115, 128–131, 135–137, 228–235. In effect, Armin Kohnle's study can be read as a chronological overview of Duke George's imperial politics from 1522–1525. See also Borth.

21 See Duke George's letters to the Regency Council, Dresden, April 30 and November 3, 1522, as well as February 4, 1523, ABKG, Vol. 1, 315–317; 378 f.; 456–458.

22 See Duke George's letter to the Regency Council, Langensalza, February 3, 1524, ibid., 606.

23 See Duke George's letter to Count Palatine Friedrich, governor in the Regency Council, June 4, 1522, ibid., 327–329.

24 Duke George's instructions for his representative at the first Diet of Nuremberg [Nuremberg, late March 1522], ibid., 298–300; see similar instructions for Dr. Dietrich von Werthern and Dr. Otto Pack as representatives at the second Diet of Nuremberg [Leipzig, August 27, 1522], ibid., 342–344.

25 See Kohnle, *Reichstag*, 135–137.

26 See ibid., 230 f.; Aurich, 93–95.

27 See also ch. 18, section 2.

1.3 *Territory First: George Refrains from Participation in Further Imperial Diets*

Considering Duke George's efforts in the struggle against the Reformation, it is surprising that after Worms, he did not attend any further diets in the 1520s. He did, however, send representatives. It was not until 1530, when the Emperor was present in person at the Diet of Augsburg, that George reappeared on the stage. Armin Kohnle points out that the duke's previous abstinence may have been caused by a hierarchical dispute with the house of Wittelsbach over rank and placement on the princes' bench. George did indeed refer to an escalated argument in 1521 between the secondary lines of the two electoral dynasties (Palatinate and Saxony), specifically citing the burden upon his ability to work at the diet.[28]

But there was also another reason. The stronger the Evangelical movement became in Saxony, the more George saw his own exertion of authority to be the key to a successful defense. This is why he was reluctant to become otherwise involved after his term at the Regency Council of 1522.[29] He canceled his next attendance in the fall of 1523, explaining, "Because of Lutheran falsehoods, which take root with our nearby neighbors more and more by the day, it is necessary for me to remain at home to prevent the same deception and insurrection in our own land."[30] In fact, Duke George did not leave his territory again in the following years. At the end of 1525, the prince withdrew his attendance at the Diet of Augsburg due to fears that Luther and his followers were waiting for just such an opportunity to foment an uprising within Albertine territory.[31]

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28 See Kohnle, *Reichstag*, 130, 228, 231 and see 173–179. –A vivid description of the session dispute at the second Diet of Nuremberg was delivered by George's representative, Dietrich von Werthern (see Dr. Dietrich von Werthern's letter to Duke George, Nuremberg, December 29, 1522, ABKG, Vol. 1, 408–412). For the Diet of Augsburg, which was planned for *Martini* 1525, George hinted that the session dispute was the reason he refused to even appoint a representative. See n. 31.

29 "Meanwhile, out of obedience to the emperor and with allowance from the estates of the Holy Empire, we had, for now, to leave our principality, but have done so with uneasiness because of this affair [i.e., the Wittenberg unrest] […]." Duke George's letter to Johann the Younger and Friedrich the Younger, 1521 (like n. 4).

30 Duke George's letter to the governor and Regency Council, Leipzig, August 1, 1523, ibid., 545 f.

31 See Duke George's instructions to Johann Spiegel for a mission to Archduke Ferdinand of Austria, Dresden, October 8, 1525, ibid., Vol. 2, 407 f.; Duke George's instructions to Dr. Otto Pack about the Diets of Augsburg and Speyer, Dresden, December 26, 1525, ibid., 461–471.—George gave a similar reason for his absence from the second Diet of Nuremberg.

This clearly expresses the primacy of domestic policy in defending against the Reformation. Considering the capabilities of the territorial state, the empire was of secondary importance in this regard, despite its increased standing gained from frequent diets. This was especially so for church politics. While there was fundamental support from the Edict of Worms and the Regency Council Mandate, increased divisiveness led to lowered expectations of future imperial diets. Therefore, Duke George put his trust in the strength of his tested church governance.[32]

2 Attempts to Rally Other Princes against Luther

2.1 *Friedrich the Wise and Johann the Constant*

As soon as the Evangelical movement had been identified as a new adversary, George took up the fight against it. As with the threat from Luther, the duke first tried to convince his Ernestine cousins to embrace anti-Evangelical politics. Because of the palpably tense relationship with Friedrich the Wise, however, he concentrated his efforts on Johann the Constant. George surmised that the Elector could also be reached this way.[33] He tried in several letters to convince his older cousin that due to offenses against the church's rituals and rules, the self-announced reformers had clearly exposed themselves as damnable heretics. In his criticism, he did not just invoke the Edict of Worms, he also constructed a complex web of evidence. These historical, theological and political arguments reveal George's perception of the Evangelical movement.

To begin with, he used his knowledge gained in 1519 that Luther and his followers had direct connections to the Bohemians.[34] As a theologically

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See Duke George's letter to Dr. Dietrich von Werthern, Dresden, December 11, 1522, ibid., 394–399.

32 See Kohnle, *Reichstag*, 130.

33 "I did not wish to neglect writing a friendly reminder to you, to think about informing my cousin the Elector. I would also be happy to deal about this matter directly with you and with Elector Friedrich, but I am afraid that he would not take it well when coming from me." Duke George's letter to Duke Johann the Elder, Schellenberg, November 21, 1521, ABKG, Vol. 1, 208–211. The poor relationship between the two princes is also made clear by the elector's commentary upon Duke George's arrival at the Diet of Worms: "I truly do not know how I should get along with this man. If only God would allow that we could regain some trust in one another." Elector Friedrich's letter to Duke Johann the Elder, Worms, December 16, 1520, RTA, JR, Vol. 2, 775, n. 1.

34 Duke George's letter to Duke Johann the Elder, Schellenberg, November 21, 1521, ABKG, Vol. 1, 208–211.

well-versed layman, the prince also attempted to debunk the Evangelicals' self-image. How could the Lutherans claim "that they had rediscovered the Evangelium," if he had already studied it forty years ago?[35] George also felt that Karlstadt should not be believed when he claimed that mass had to be administered just as the apostles had wished, since no exact details of their celebration were to be found in the Holy Scripture.[36]

The attempt to mobilize the Ernestines against the Reformation finally culminated with an appeal to princely duty and family honor. George admonished: "Our parents and ancestors spilled blood while struggling both physically and materially against the heretical taking of communion under both kinds."[37] The question arose: "If this is now acceptable, does it mean that our elders acted falsely?"[38] He warned that if Elector Friedrich did not finally intervene, he would put his own soul at risk along with the welfare of his territory. George called attention to his grandfather, Georg von Podiebrad, who had died in excommunication for taking the sacrament under both kinds. He was even more specific: God had rewarded the Wettins for their fight against the Hussites with "peace, wealth, and an increase in mining," but now this was in jeopardy. As the Bohemian example showed, heresy inevitably brings God's disfavor.[39]

Duke George's warnings to the Ernestines were not just born out of genuine outrage. He was especially convinced that secular rulers were obligated to take action against religious innovations through church governance.[40] George's correspondence reflected the hope that his cousins would ultimately turn away from Luther due to increasing radicalization of the Reformation. He remained vigilant for any signs indicating a change of heart.[41]

However, the Ernestines reacted to George's warnings with the same stalling tactics they had used before, which the duke was beginning to find tiresome.

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35 Letter from id. to id., Coburg, December 26, 1521, ibid., 237–241.

36 Brück's letter to Johann the Elder, 1521 (like n. 4). Brück passes along Duke George's comments.

37 Duke George's letter to Duke Johann the Elder, Schellenberg, November 21, 1521, ABKG, Vol. 1, 208–211.

38 Brück's letter to Johann the Elder, 1521 (like n. 4).

39 Duke George's letter to Johann the Elder, Coburg, December 26, 1521, ibid., 237–241.

40 See ch. 16, section 2.

41 Optimistically, George noted that Elector Friedrich was alienated by the reforms to the mass made by Wittenberg's Augustine hermits (see Duke George's letter to Duke Johann the Elder, Schellenberg, November 21, 1521, ABKG, Vol. 1, 208–211) and drew a connection to Friedrich's actions against disruption of the mass in the palace church. He hoped that the Elector had "made a fresh start" against the Reformation. Letter from id. to id., Coburg, December 26, 1521, ibid., 237–240.

After Luther's return to Wittenberg in March 1522, the prince once more denigrated all Evangelical reforms and demanded action by Friedrich.[42] He avoided making public assertions that were likely to yield little but might further burden his relationship to the other Wettins. As a result, in the following years, even the most alarming developments in Ernestine church politics went without comment out of Dresden.[43]

Instead, Duke George concentrated his complaints on the activities of the Evangelicals from Ernestine Saxony who directly affected his territory. He was in a better position to make arguments as the injured party, and the duke's grievances related to his territorial church politics. In particular, he felt justified when Evangelical preachers appeared in the jointly ruled town of Schneeberg, or in exposed Ernestine exclaves such as the small town of Buchholz near Annaberg. The first such complaint can be seen as prototypical. In May of 1522, Duke George received a request from the Albertine provost at Petersberg to inform the Elector of the harassment suffered by the clergy under his charge in Eilenburg.[44]

However, Duke George did not absolve his cousins of their responsibility for allowing the Reformation to take root. Elector Friedrich kept track of George's activities with greater concern than he let on. Evasive as usual, he gave the following answer to George's latest demand for Luther's extradition: "I have written again to my cousin, and God willing, I hope the issue is now addressed. It is certainly an urgent necessity. I have been told something odd, as if the emperor is about to outlaw me, because Doctor Martinus has come back to Wittenberg."[45] Afterward, there was increased talk of a papal heresy trial against Friedrich and a plan to take away his electorship. Such ideas

42 See Duke George's letter to Elector Friedrich [Nuremberg, March 21, 1522], ibid., 293–295.

43 For example, a report from the Leipzig jurist Georg von Breitenbach, who, being a legal advisor to several Ernestine monasteries and cathedral chapters, had delivered first-hand news about the increasingly hostile monastic politics of the Wittenberg court following the third Diet of Nuremberg. See Dr. Georg von Breitenbach's letter to Duke George, Leipzig, April 7, 1524, ibid., 638–640.

44 See Duke George's letter to Elector Friedrich, Leipzig, May 8, 1522, ABKG, Vol. 1, 324. See Kirn, 115 f.

45 Elector Friedrich's letter to Duke Johann the Elder, April 9, 1522, quoted from Pallas, "Visitationsreise," 74. In another letter from May 25, 1522, Friedrich wrote "We believe indeed that our cousin seeks difficulties and disadvantages for us in this and other matters." (quoted from ibid.).

were actually under discussion in Rome as well as at the court of Archduke Ferdinand in Innsbruck.[46]

Contrary to the Elector's general suspicions, there is no evidence that Duke George ever plotted against his cousin. When he made reference to these dangers to Planitz in 1523, it seems to have been out of genuine concern for the welfare of the dynasty. At the same time, it is obvious that he intended to increase pressure on the Ernestines to act against Luther.[47] In this respect, historians should be cautious not to transfer the conflict positions of the Schmalkaldic war to the previous generation.[48] However, the fact remains that the huge number of surviving letters, memoranda and plans from George's chancellery provide not a single scrap of evidence to support this theory.[49] The later ambitions of the duke's nephew Moritz were apparently far from George's thoughts.

The intent behind George's extensive correspondence with the Ernestines in early 1523 was to increase pressure on Electorate Saxony. This led to the first personal attack on him by Luther in the note to Hartmut von Cronberg.[50] At the encouragement of his advisors, George turned to Friedrich the Wise.[51] His new tactic was to avoid making any direct demands for action against Luther and to accept Friedrich's "neutrality." There is a certain irony to George's attempt to seek advice from Friedrich as the head of the family regarding how he might defend his honor against Luther. The Elector did everything to avoid having to give such counsel, but George would not give up and kept the Wittenberg court under pressure.[52]

Two months and many evasions later, Friedrich finally gave his carefully formulated advice to George. In doing so, he also quite grotesquely denied his own position with regard to Luther. As if he had no authority in Wittenberg, he only referred to the information originally provided by Duke George. Friedrich

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46 See Schulze, "Berichte," 76–86; Kirn, 147–149; Pallas, "Visitationsreise," 74–76, Kalkoff, "Prozeß," 406–409.

47 See Hans von der Planitz's letter to Elector Friedrich, Nuremberg, July 15, 1523, Virck/Wülcker, 488–490.—At the wedding of his daughter Magdalena in the fall of 1524, George warned the Ernestine advisor Friedrich von Thun that the emperor was seeking a quick peace with France in order to join with the pope in a war against the elector to take electoral power away from the dynasty. See Duke Johann the Elder's letter to Elector Friedrich, Weimar, November 20, 1524, ABKG, Vol. 1, 767 f.

48 For such tendencies, see e.g. Borth, 143.

49 See ABKG, passim.

50 See p. 478–480.

51 See Duke George's letter to Elector Friedrich, Dresden, January 17, 1523, ABKG, Vol. 1, 438–440; Evaluation from ducal counselors [January 3–17, 1523], ibid., 419–421.

52 See ibid., 444–474, passim.

wrote that the duke's advisors had informed him "that doctor Martinus is a renegade runaway monk and a declared heretic under papal excommunication" so dishonorable that it was unnecessary to take legal action against him to reestablish George's honor.[53]

George tried many different ways to pressure the Ernestines to change their attitude toward Luther and the Evangelical movement. He made some political leaders such as Planitz and the Elector uncomfortable, and they responded by occasionally admonishing Luther in order to placate the Albertine.[54] However, Duke George never came close to changing their minds or compelling them to adopt his position.

2.2 *Philipp of Hesse and Others*

Duke George also tried to win over other imperial princes to his anti-Lutheran cause. Questions of personal faith were discussed at length in the well-known correspondence between George and his son-in-law, Philipp of Hesse.[55] The duke also tried to gain influence over Grand Master Albrecht of Brandenburg with a warning sent through his brother. He suggested that an inclination toward Lutheranism would jeopardize imperial support for the Teutonic Order, and threaten his political survival in the struggle with the Kingdom Of Poland.[56]

Wherever possible, George applied substantial pressure when spreading his message. At the suggestion of Cardinal Albrecht, he joined in the complaint to the Imperial Chamber Court against the city of Magdeburg for noncompliance with the Edict of Worms.[57] In 1522, when the Bohemian Count Sebastian Schlick instituted a Lutheran church constitution in his fiefdom of Elbogen, Duke George reacted with financial pressure. He had given military support to Schlick in 1504 during an uprising in Elbogen, and now the prince was demanding repayment should the count officially institute Reformation doctrine.[58] Duke George also arranged through Emser, his court chaplain, for

53 Elector Friedrich's letter to Duke George, Lochau, March 4, 1523, ibid., 474–476.

54 See Schulze, "Berichte"; Kunst, 288–316.

55 The correspondence from the older collection by Seidemann and Friedensburg in the ABKG is easiest to use. See Seidemann, "Briefwechsel"; Friedensburg, "Georg und Philipp"; ABKG, passim. About the interpretation, see Wolter, "Religionsgespräche."

56 See Duke George's letter to Margrave Kasimir of Brandenburg [Dresden], January 2, 1524, ABKG, Vol. 1, 599 f. About George's relationship to the Teutonic Order, see ch. 7, section 3.

57 See Kohnle, *Reichstag*, 232.

58 See Duke George's letter to Counts Sebastian and Albrecht Schlick [Meissen, March 21, 1514], ABKG, Vol. 1, 621 f. see Rogall; Clemen, "Elbogener Kirchenordnung."

the printing of a rebuttal to the Evangelical Elbogen church constitution.[59] In 1526, due to Count Albrecht of Mansfeld's support for Luther, the duke refused him the enfeoffment of property from a deceased cousin. The count tried again in 1534, but to no avail.[60] In the end, however, George was unsuccessful in changing the minds of any of his princely peers.

In particular, Duke George's relationship to Philipp of Hesse is a clear example of how the explosive religious question quickly developed beneath the tectonics of imperial politics.[61] Within just a few years, this caused earthshaking changes of direction within political alliances in Central Germany. During the pre-Reformation period, the right of succession between the Hessian landgraves and the Wettins was a political constant in the region.[62] It was tested when Wilhelm II died in 1509, resulting in a leadership crisis. Duke George's contribution was to create an alliance that stabilized the contested position of the landgrave's widow Anna of Mecklenburg and her underage son Philipp.[63] The Ernestines, on the other hand, took the side of the Estates' opposition party, causing Anna and Philipp to isolate themselves. In the ensuing years, the Marburg-Dresden relationship was reinforced by two marriages. Philipp's sister Elisabeth married George's eldest son Johann in 1515, and Philipp himself married George's daughter Christine in 1524. The Albertine Prince Johann's occasional presence at the Hessian court provided public support to Anna's guardianship regime.[64]

George's diplomacy, which had the support of Thuringian-Hessian noblemen such as Sittich von Berlepsch the Younger, was able to secure the coalition with Hesse while irritating the Ernestines.[65] In the summer of 1523, a concerned Planitz informed the elector of rumors about measures against Electoral Saxony that were initiated by George and Philipp at the imperial

59 See p. 572 f.

60 See Bräuer, "Konflikt," 285, 297 f.

61 About Philipp see Heinemeyer, *Philipp*; Cahill; Braasch-Schwersmann/Schneider/Winterhager.

62 See Rudersdorf, "Erbverbrüderung," 35–38.

63 See request by Landgrave Anna for an alliance March 25, 1514, Glagau, Vol. 1, 355–359.

64 See Rudersdorf, "Hessen," 261; Werl, *Elisabeth*, 55–63.—Because of the insecure political situation in Hesse, Landgravine Anna tried to extend Johann's stay in Marburg. "We wish you to know that it is difficult for us to let our dear Duke Johann leave us, especially at this time and in these currents, where now everywhere and especially in the principality of Hesse, my dear son Landgrave Philipp and I are being avoided." Landgravine Anna's letter to the Albertine advisors, Christoph von Taubenheim and Hermann von Pack [1516/17], StA Marburg, Bestand 2 (Politisches Archiv), III. B. 55a), unpag.

65 About Berlepsch see p. 113.

level.[66] By the summer of 1524, however, the landgrave had decided to support the Reformation, which was as much a surprise to Berlepsch as it was to George.[67] Once this step was taken, Philipp's embrace of Lutheranism immediately triggered a complete political realignment. The trusted relationship that had been built up during two years of correspondence with George, his father-in-law, fell apart, while a close political partnership between Philipp and Elector Johann was established. Decisions for or against Luther now became a new force field within which political relationships were realigned according to religious primacy.

2.3 *The Peasants' War*

The Peasants' War of 1525, which devastated large parts of Thuringia and destroyed many monasteries, was considered by George to be a rebellion by the Evangelical movement. Now unmasked, Luther's followers had shown themselves to be insurgents. This impression was reinforced by the North Thuringian peasants being led by the chiliastic preachers Heinrich Pfeiffer and Thomas Műntzer. Their revolt was seen by George as the rotten fruit of Luther's teachings and final proof of the Reformation's falsity.[68] In fact, George had long been expecting some sort of insurrection and found Műntzer's activities in the city of Allstedt to be especially dangerous.[69] A religion mandate in 1524 called for vigilance against those who attempted "to stimulate disobedience, outrage and insurgence against authority within village communities."[70]

George quite energetically took up the military struggle against the rebellion and, for one last time, the old alliance with Hesse was activated. For once, George's appeal to the Ernestines to fight with him against the Reformation

66 See Schulze, "Berichte," 85.

67 See e.g. Sittich von Berlepsch's letter to Duke George, [Langensalza] February 25, 1522, ABKG, Vol. 1, 280–283.

68 "Just look at the misery you have caused with your teachings. On Easter in the year [15]25, almost 100,000 valiant men have died in German territories. What has been the cause other than the shameful abuse of the Holy Sacrament?" Duke George's draft of his pamphlet *Widder Luthers trostung ann die Christen zu Hall* [November 1527], ABKG, Bd. 2, 818–836, here 830; "[…] When has there been more insurrection against authority than that caused by your preaching? […] The results of this fill us with great dread and revulsion for your teachings and ministry." Duke George's letter to Martin Luther, Dresden, December 28, 1525, ibid., 472–478. See also p. 470, n. 76.

69 See Duke George's letter to the bailiff at Sangerhausen, Dresden, July 16, 1524, ABKG, Vol. 1, 704–706.

70 Duke George's printed text [1524], loc. 10300/2, fol. 25v–26r.

seemed to meet with success—not with the terminally ill elector, but with his brother Johann in Weimar.[71]

Nonetheless, this final collaboration of confessional adversaries lasted only as long as the immediate threat to their authority. George tried to interpret the victory at Frankenhausen on May 15, and Műntzer's hanging on May 27, 1525 as signs of God's condemnation of the Reformation.[72] But neither Philipp of Hesse nor Elector Johann shared his view. With the Dessau alliance of 1525, Duke George tried to convince the princes to stand together against any further rebellion and against the Reformation. They declined, and in the following year created their own opposing alliance in Torgau. The era of confessional coalitions within the empire had begun.[73] However, George made every effort to exploit the victory over the peasants in support of his anti-Lutheran politics. He used the argument to convince the reform-oriented public and even initiated measures for a Counter-Reformation, most visibly in a preaching campaign in Műhlhausen in 1525.[74]

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71 As a classic account of the Peasants' War, see Franz; for an introduction to the research, see Blickle, *Bauernkrieg*; Press, "Bauernkrieg." About the Peasants' War in Central Germany, see the source editions of Merx/Franz/Fuchs; ABKG, Vol. 2; Held/Hoyer (with the latest review of literature); an example of the Communist interpretation of the Peasant's War as a "Frühbürgerliche Revolution" is given by Steinmetz/Czok.

72 "It is apparent that the horrific rebellion in our land was caused by Lutheran preaching since the almighty God in His holy mercy delivered His aid to us, our master and friend, and our loyal subjects." George's instructions for Otto Pack, 1525 (like n. 31).

73 See charter of the Dessau alliance [July 19, 1525], ibid., 352 f.; Rabe, 317 f.

74 See p. 571–573, about Mühlhausen see p. 557 f.

CHAPTER 18

Outlawing the Reformation

> It is necessary to fight this transgression with all one's strength, wealth and power—to the death. For God told us this would all come to pass, and he decided that 'those who persevere and endure to the end shall be saved' [Matthew 10:22].[1]

1 Profiling the Enemy: George's Mandate of February 10, 1522

George's principal approach in dealing with the Reformation was to turn to the church governance he had developed during the pre-Reformation. The proven collaboration of the ducal court, local officials and clerical authorities was now deployed against the Evangelical movement. However, before secular officials could take action against the new heretics, a decisive precondition had to be met. How could those without an education in theology or canon law identify their adversaries with certainty? This question became even more important when the officials eventually began to understand the differences between the Reformation and traditional church reform.

It was only when the threat was defined and became operational that the functionaries and municipal councilmen could hope to fulfill their roles as the eyes, ears and arms of the duke. The efficiency of church governance was highly dependent on this. Since the Edict of Worms only referenced the false teachings of Martin Luther himself, it provided to be of little assistance. How could a secular official convict a suspected Lutheran when the movement's battle cry—a demand for the preaching of the Gospel—was not actually heretical? In fact, it was a goal also shared by Albertine church politics.[2]

1 Duke George's instructions to his representative at the first Diet of Nuremberg [Nuremberg, late March 1522], ABKG, Vol. 1, 298–300.

2 Duke George vehemently rejected the use of the terms "Gospel" and "Evangelical" by Luther and the Reformation. See e.g. Duke George's letter to Duke Johann the Elder, Coburg, December 26, 1521, ibid., 237–241. A recently discovered mandate by Duke George from 1524

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Duke George understood this problem early on and attempted to create a profile of the enemy. Although he was personally capable of identifying Luther's teachings on a theological level to make it easier for commoners to grasp, he emphasized visible aspects. Based on intelligence like the report about Gabriel Zwilling's New Year's mass in Eilenburg, George drafted a profile describing the new adversary. He specified visible traits and symbolic activities: 1) Evangelical monks wear secular clothing; 2) Evangelical priests take concubines; and 3) Evangelical laymen take the chalice at communion. However, these were not just superficialities, but also serious offenses against the Christian religion and traditions of the church. George's list is first found in his letters to the Ernestines in November 1521, and later in his complaint of January 14, 1522 to the Regency Council.[3] The Albertine's profile was adopted by imperial anti-Lutheran legislation through the Regency Council Mandate of January 20, 1522. Finally, Duke George passed along the descriptions to his own officials in his territorial mandate of February 10.[4]

Now, it was no longer necessary to be a theologian to hunt down heretics for Duke George. Every secular official could keep an eye on monks who left their monasteries in secular clothing or priests who took concubines. Transgressions such as the use of the German language in the liturgy, not using ceremonial garb or sacramental objects for mass, and holding communion for children could all be discovered by simply attending church services. Every official was much more aware when a priest allowed laymen to take the sacrament under two kinds, without a prior confession or offering a communion host.[5] It was now finally possible for secular authority to effectively monitor prohibited activity.

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expressly demanded "that the Holy Gospel and God's word should be preached to the public," without appearing to side with the Reformation. (Printed text by Duke George [1524], loc. 10300/2, fol. 25v–26r). The publication of Emser's New Testament was also decided along these lines, (see p. 581–583) as well as the quoted comments from Sittich von Berlepsch as presented below in section 4.

3 See e.g. Duke George's letter to Duke Johann the Elder, Schellenberg, November 21, 1521, ABKG, Vol. 1, 208–211. About George's submission to the Regency Council, see the letters from Hans von der Planitz to Elector Friedrich, Nuremberg, January 2 and 16, 1522, Virck/Wülcker, 58–62, 67–69. As additional background, there is the list of reports about Gabriel Zwilling's New Year's mass at the Eilenburg palace. See also ABKG, Vol. 1, 247, n. 3.

4 See Duke George's printed letter, Nuremberg, February 10, 1522, ABKG, Vol. 1, 269–271.

5 See ibid.; Regency Council Mandate, Nuremberg, January 20, 1522, ABKG, Vol. 1, 250–252.

2 Territorial Sovereignty and Imperial Legislation

For pursuing Evangelicals in Albertine Saxony, the Regency Council Mandate remained of secondary importance, and was intended to exert pressure on the Ernestines.[6] At home, Duke George relied on his own legislative power. Even before the Regency Council Mandate was issued, a draft of an Albertine mandate had been drawn up on January 10, 1522, and passed on February 10, 1522.[7] It began with a descriptive profile of the Evangelical movement, but was more severe in nature. With specific references to the excommunication bull and the Edict of Worms, the February mandate left no doubt that the condemned heretic Martin Luther was responsible for the novelties, which made it possible to outlaw them as heretical. Here, George clearly diverged from the Regency Council Mandate, which had avoided accusations of heresy and called for a General Council to examine (and possibly accept) reforms.[8]

But why did Duke George not use the Regency Council Mandate, which he himself had initiated? Considering the duke's anti-Lutheran posture, who could have been more interested in seeing the Edict of Worms and the Regency Council Mandate implemented? The facts, however, tell a different story. Neither of these imperial laws was published in George's lands.[9]

Instead, the example set by George shows that Luther's opponents among the German princes considered imperial legislation to be only a rough guideline for their church politics. Furthermore, even if they had been in agreement with its content, it would not have been necessary to directly implement it.[10] The legal precedent for how territorial officials were to deal with the Evangelical movement was actually established by the territorial mandate. The duke acted according to his own laws and not simply as an executor of imperial will. While the imperial laws were used to legitimize, they were often only selectively

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6 See p. 493–495.

7 See George's letter of February 1522 (like n. 4); About the dating of the draft, see Duke George's letter to Duke Johann the Younger and Duke Friedrich the Younger, Nuremberg, January 10, 1522, ABKG, Vol. 1, 247 f.

8 See p. 493–495.

9 It wasn't until the summer of 1524 that Duke George first published the Edict of Worms, as confirmed by the third Diet of Nuremberg, following an explicit imperial order. The Regency Council mandate was never published in Albertine Saxony. However, when the Leipzig municipal council distributed Duke George's religion mandate of February 10, 1522, it decided to make public the Edict of Worms to which the February mandate made reference. See the Leipzig municipal council's decision, Leipzig, April 7, 1522, Thieme, "Dokumente," 122.

10 The dukes of Bavaria acted in a similar fashion, especially regarding the Regency Council mandate. See Kohnle, *Reichstag*, 146 f.

acknowledged. Despite making reference to the Edict of Worms and the Regency Council Mandate in his February mandate, the prince completely ignored the more lenient line taken by the latter. Instead, he drew on the more severe papal bull of excommunication as a legal source.

Again and again, Duke George showed how much leeway he had with his territorial church politics compared to imperial legislation. Even before the Edict of Worms called for it, he was able to secure a papal ban on the printing of Luther's writings in early 1521.[11] Although it was interpreted by Electoral Saxony as a repeal of the Edict of Worms, George had the ambivalent results of the second Diet of Nuremberg announced at the regional Diet of Leipzig. Missing, of course, were all references that might have softened his strict anti-Lutheran politics.[12]

It was only in negotiations with princes outside of his own territory that Duke George made specific references to imperial law. This was especially so with the Ernestines. For instance, on points of contention, such as the joint governing of Schneeberg, he would quote imperial legislation in support of his anti-Lutheran positions.[13] These indirect and selective endorsements were proof of the level of independence enjoyed by the powerful secular princes with respect to the emperor and the empire. Instead of following the Imperial Diets during the 1520s, the princes were able to set their own course with regard to Luther and legitimize their actions by citing imperial decisions.

3 George's Mandate and the Edict of Worms

Consequently, the legal basis for dealing with the Evangelical movement in Albertine Saxony was the territorial February mandate rather than the Regency Council Mandate of January 20. It profiled the Evangelical movement and established measures for prosecution that focused on three well-defined groups:

1. Priests who were recognized followers of Luther, according to the profile;[14]
2. "Runaway" monks; and

11 See ch. 23, section 2.

12 See Kohnle, *Reichstag*, 135–137.

13 See ibid., 135–137, 231 f.

14 The recognizable signs were priests getting married (taking concubines), and also the propagation of such practices as changing the liturgy, the layman's chalice, masses held in the vernacular, omitting confession or fasting before communion. See George's letter of February 1522 (like n. 4).

3. Laymen who had taken the sacrament under both kinds.[15]

An additional measure was the recalling of all Albertine students from the Ernestine University of Wittenberg, since "this un-Christian activity was learned and practiced" there.[16] In The duke was reacting to a specific case in which three students from Annaberg had taken communion in Wittenberg under both kinds.[17] As in the example set in Meissen, the prohibition on this practice became more strictly enforced.[18]

The February mandate not only justified Duke George's recent measures, it also obligated the entire body of territorial officials to pursue Evangelical monks, priests and laymen. As usual, the territorial bishops also supported the duke by enforcement of his mandate within their bishoprics.[19]

All the same, Duke George had an interest in stressing that imperial law legitimized his church politics—not least because the Evangelicals themselves claimed to be in compliance with the Empire's jurisdiction. Then, something extraordinary occurred in the summer of 1524. By order of Karl V, the third Diet of Nuremberg directed that the Edict of Worms was to be issued again to all the Estates of the empire for renewed declaration. However, what appeared to be a clear rejection of Luther was now qualified by the critical addition that the Estates should adhere to the edict "as much as possible." More than ever, this left implementation up to the discretion of the princes.[20]

The duke used the occasion to make a statement about the edict and its full legal force by having it printed for large-scale distribution. Within days of receiving the edict, he issued a publication mandate with which he not only

15 "It is mandated: wherever there are runaway monks in secular clothing or priests and others who spread the heretical teachings of Martin Luther or his disciples, you must summon these subjects for interrogation. Or, if someone takes the holy sacrament under both kinds, they must appear before your court and be convicted, and in complete compliance with our orders, taken to prison to receive their penalties and be held by you without release." Ibid.

16 Ibid. see also ABKG, Vol. 1, 271, n. 1.

17 See Duke George's letter to Duke Johann the Younger and Duke Friedrich the Younger, Nuremberg, January 2, 1522, ibid., 241 f.; Letter from id. to Duke George, Dresden, March 12, 1522, ibid., 288–290.

18 See Bünz, "Reformation in Meißen," 283.

19 See Duke George's letter to Bishop Adolf of Merseburg, Nuremberg, February 10, 1522, loc. 9026/3, Vol. 6. Aside from the courtesies used to address the bishop, the report is identical to the February mandate, word for word. This was the usual way in which an Albertine mandate was communicated to the mediatized diocesan territories of Meissen and Merseburg.

20 See Borth, 144–153, the quote ibid., 149; Kohnle, *Reichstag*, 230–235.

urged his officials to follow the edict, but gave direct orders to "all of our current (…) subjects and relations" to do so as well.[21] Two days later, office holders and municipal councilmen received instructions that the Edict of Worms should be "pasted onto panels, posted by day and then taken down evenings" in order to prevent nightly protests.[22] To this end, Duke George had Emser's press produce large-format broadsheets of the Edict of Worms with the publication order from Nuremberg included. Two further printings were executed in pamphlet format. This decisive imperial law was not only distributed throughout Albertine Saxony, but also within the pro-Reformation population as well. It took Luther only a few weeks to respond in print to the posted edict.[23] The publication of the Edict of Worms three years after Luther's condemnation was primarily a clever act of propaganda in line with other activities in the summer of 1524, such as Benno of Meissen's canonization and the subsequent pamphlet wars.[24]

A second mandate by Duke George, recently discovered in Dresden's city archives, made it possible for the consequences of this campaign to more exactly determine territorial church politics. The letter of September 9, 1524 and two accompanying writings reveal a surprising development that resulted from the mass distribution of the Edict of Worms. George expressed his concern that "some irresponsible persons will interpret the Edict to their own advantage and therefore commit an abuse."[25] This indicates—even if indirectly—a climate of agitation and suspicion among a number of traditional Catholics against actual and suspected Lutherans.

A close reading of the Edict of Worms exposes the root of the problem. It contains a somewhat obscure passage citing Luther's followers as being *ipso facto* outlawed by the empire. As such, everyone was encouraged to assault them and "take their possessions into your own hands to use and keep for your own purposes."[26] Now posted everywhere, the edict regarded Evangelists as outlaws, whose property was to be taken for the enrichment of others. Worried that his subjects might take this as a license for self-justice, the duke requested clarification of this passage by the Regency Council.[27]

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21 See the printed letter from Duke George, Dresden, July 20, 1524, ABKG, Vol. 1, 706 f.

22 Duke George's letter, Dresden, July 22, 1524, Seyffarth, 136.

23 See Aurich, 46–49, 93–95.

24 See Volkmar, *Heiligenerhebung Bennos*.

25 Duke George's letter to Bishop Adolf of Merseburg, Dresden, September 9, 1524, loc. 14950, Konzepte […], 1474–1525, fascicle "1524", unpaginated.

26 See Emperor Karl V's edict, Worms, May 8, 1521, RTA, JR, Vol. 2, 640–659, here 655.

27 For George, the exact issue was whether Luther's followers should be considered *ipso facto* as outlaws, or must first be convicted in a court of law. "[…] from now on, in all other legal proceedings and convictions against the same provisions of the edict, to allow no

The Council's response proved to be insufficient.[28] As the newly discovered mandate indicates, Duke George then exercised his territorial rights to react to the edict's obvious shortcomings in failing to anticipate the existence of a wide reaching Lutheran movement. So that no one "appearing to act according to the edict" could do harm to the innocent, George mandated that all legal complaints against Lutherans were to be made through territorial officials. Only when evidence has been investigated and found to be valid could the complainant—together with territorial officials—take action against Evangelicals.[29] Like the edict itself, the duke's implementation mandate was also publicly announced and widely posted.[30] Clearly, Duke George's goal was to maintain a monopoly of the territorial state in the pursuit of Evangelists while preserving basic standards of public order and legal rights.

4 How the Profile Worked

Sanctioned as imperial law by the Regency Council and distributed through the February mandate, the profile of the Evangelical movement quickly proved to be an efficient tool for local administrators. By March 1522, several laymen in Leipzig had been prosecuted for taking communion under both kinds. With direct reference to the new territorial mandate, Leipzig's municipal council arrested a merchant's servant, despite him having taken the layman's chalice prior to the mandate's issuance. Indeed, he was charged for his attendance at the very New Year's mass at Eilenburg that had triggered Duke George's mandate.[31] The council's conscientious enforcement of the February mandate was confirmed in a letter to the bishop of Merseburg. An explanation was given as to why the accused, claiming to be a priest, had not yet been given over to the

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defense, or to simply treat him as genuinely heretical and sentence him to expulsion." Duke George's instructions in an appeal to Archduke Ferdinand and the Regency Council, Dresden, July 26, 1524, ABKG, Vol. 1, 711–713.

28 See the Regency Council's answer to Duke George, Esslingen [after August 29, 1524], ibid., 730 f.

29 Duke George's letter, Dresden, September 9, 1524, loc. 14950, Konzepte […], 1474–1525, fascicle "1524," unpaginated.

30 See accompanying letter to Duke George's announcement, Dresden, September 9, 1524, loc. 14950, Konzepte […], 1474–1525, fascicle "1524," unpaginated. Evidence of a sample print is provided by Aurich, 62 f. (Nr. 19).

31 See the Leipzig municipal council's letter to Duke Johann the Younger, Duke Friedrich the Younger and Duke George, [Leipzig], March 9, 16 and 21, 1522, ABKG, Vol. 1, 287 f., 290 f., 296; Letter from Duke Johann the Younger and Duke Friedrich the Younger to Georg Reychenberger at Leipzig, Dresden, March 19, 1522, ibid., 293.

ecclesiastical court (as called for by *Privilegium fori*). According to the Leipzig council, the February mandate required "that we arrest a runaway monk if we encounter him in improper habit or conduct," and leave further decisions up to Duke George—a precise reading of the mandate's provisions.[32]

From then on in Albertine Saxony, the external features and symbolic activities included in the profile were accepted as legal evidence of membership in the Evangelical movement. In 1523, Duke George demanded that the city of Kölleda arrest their preacher solely because he was a "runaway monk who did not wear religious habit."[33] Ambitious officials even monitored travelers. In strictly Catholic Altenberg, a priest was arrested as a Lutheran in 1522 because he "let his hair and beard grow long." The unfortunate fellow, who was underway as a messenger for a Bohemian nobleman, would have been better off taking a different route through the Ore Mountains.[34]

It cannot be said, however, that external and symbolic characteristics were all that officials were looking for. A diligent anti-Lutheran, the Thuringian bailiff Sittich von Berlepsch delved deeply into the Reformer's teachings to find more subtle forms of incrimination. In the fall of 1522, Berlepsch arrested an Augustine monk from Eisleben who gave three sermons as guest preacher visiting the Augustine church in Langensalza. Berlepsch listened to the sermons himself and made extensive notes about the monk's "Lutheran provocations," which he sent on to Dresden as evidence. These included deprecating the pope, criticizing begging monks, conducting opulent masses, and adulating saints. He also held the sacrament to be symbolic and not a reality, a somewhat Zwinglian position. During testimony, Berlepsch confronted the Augustine with "a display of Lutheran evidence." Berlepsch rejected Johann Heye's attempt to give meaning to his sermons "based on his misguided Evangelical opinions." Finally, he also justified the arrest with the public reaction in Langensalza. People had turned out in mass to hear Heye preach, and there was much talk on the street to the point that "we had worries about dangerous agitation."[35] Clearly, territorial officials were alarmed by the laity's continued support of the Evangelical movement.

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32 Leipzig municipal council's letter to Bishop Adolf of Merseburg, [Leipzig] January 20, 1523, ibid., 443 f.

33 See Duke George's letter to the congregation at Kölleda, Sangerhausen, May 6, 1523, ibid., 502 f.

34 See Dr. Johann Kochel's letter to the bailiff at Altenberg, Dresden, April 18, 1522, ibid., 306 f.

35 Sittich von Berlepsch's letter to Duke George [Langensalza] November 4, 1522, ibid., 379–382.

CHAPTER 19

Territorial Politics against Evangelical Pastors

1 Against the Lutherans and for Catholic Reform: The Two Sides of George's Church Politics

With the February mandate, Duke George made the pursuit of Evangelicals a duty of the secular state. Municipal councilmen, court officials, and bailiffs were responsible for arresting suspected clergymen and sending them on to the duke for further action. There are many examples confirming the enforcement of this regulation. As before, George respected ecclesiastical jurisdiction and turned over arrested clerics to the bishops in order to maintain close cooperation. In the case of grave offenses, the pre-Reformation practices of territorial church governance used in cases of heresy were applied.

A good example is illustrated by the fate of Jakob Seidel. Appointed as priest at Glashütte in the Eastern Ore Mountains[1] in 1519, he was among the first of the Albertine clergy to openly support Luther. At the request of Bishop Johann VII, Seidel was arrested by the duke's authorities in the summer of 1521 for teaching Lutheran doctrine and getting married, and was taken to the episcopal prison at Stolpen.[2] Subsequently, the prince and the bishop corresponded with each other about the progress of the trial.[3] Despite many advocates from his Wittenberg congregation, including Karlstadt, Melanchthon, and Agricola—as well as support from Elector Friedrich—Seidel had to spend several months in prison. When finally released on bail, he was suspended from holding any priestly offices.[4]

A short time later in Döbeln, Seidel began again to preach Lutheran doctrine and to gather a new congregation. The preacher was not spared from the duke's aggressive enforcement against Döbeln's Evangelicals, and at the end

1 See Duke George's letter of introduction for Jakob Seidel, October 24, 1519, ABKG, Vol. 1, 172, n. 1.

2 See the letter from Dukes Johann the Younger and Friedrich the Younger to the judge, jury, miners' guild and congregation at Glashütte, May 29, 1521, ibid., 171 f.

3 See Duke George's letter to Bishop Johann VII of Meissen, Dresden, June 21, 1521, ibid., 174.

4 See the letter from Dukes Johann the Younger and Friedrich the Younger to the congregation at Glashütte, 1521 (like n. 2); Elector Friedrich's letter to Duke George, Lochau, October 29, 1521, ABKG, Vol. 1, 199 f.; also ibid., 199, n. 2.

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of 1521, Seidel was once more turned over to the bishop for imprisonment.[5] After an attempted escape, George's bailiffs tracked Seidel down in Bohemia; ultimately, he was discharged from prison in 1523. The release was intended by the bishop to quash rumors that Seidel had been secretly executed. His release was granted on the condition that his office as priest be forfeited, and that he vacate not only the duchy but also the empire.[6] His priest's prebend in Glashütte was revoked without compensation, and the vacancy was filled in June 1523.[7]

There is an epilog to this story that played out in Nuremberg, where Seidel took refuge. Sympathy for his situation opened many doors in the Evangelical-friendly city, and he was able to obtain a letter from Archduke Ferdinand and the Regency Council appealing to the bishop of Meissen for leniency. Johann VII left it up to Duke George to make the final decision and write a response in the bishop's name. The prince reacted vehemently against any attempt to counteract his anti-Lutheran religion politics; however, even a second letter from George to the archduke could not prevent Seidel from construing the Regency Council's letter as a sign of his rehabilitation. In the summer of 1524, Duke George's diplomats reported that Seidel had married (again?) and was actively preaching, not in Saxony but in a hospital in Nuremberg.[8]

Noticeably, the process for dealing with punishable clerics followed standards established in pre-Reformation times. The territorial church governance over the lower clergy remained fully functional and proved to be adequate under the new circumstances. The challenges of the Reformation were met by employing long-standing procedures. Duke George expanded the priestly oath that was given when awarding prebends under his patronage to include a rejection of Luther's teachings. While in earlier times the residence issue had

5 See p. 533–535.

6 See the source material for n. 8. About the rumors concerning Seidel's execution, see Lobeck, 64, n. 26.

7 See Duke George's letter of presentation for Thomas Hoetzsch, June 19, 1523, ABKG, Vol. 1, 172, n. 1.

8 See the letter from Archduke Ferdinand's governor and the Regency Council to Bishop Johann VII of Meissen, Nuremberg, December 14, 1523, ibid., 581–583; Correspondence between Duke George and Bishop Johann VII of Meissen, Dresden/Stolpen, December 27–31, 1523, ibid., 593 f.; Johann VII of Meissen's letter to Archduke Ferdinand and the Regency Council, Stolpen, December 31, 1523, ibid., 594–596; Duke George's letter to Archduke Ferdinand, Dresden, January 2, 1523, ibid., 597 f.—About the reaction of the Regency Council, see Dr. Otto Pack's letter to Duke George, Nuremberg, January 19, 1524, ibid., 602 f.; about Seidel's life in Nuremberg, see Thomas von der Hayden's letter to Duke George, Esslingen, August 14, 1524, ibid., 723–726.

been of primary importance, the duke now stressed commitment to traditional church doctrine by clerics under his patronage. The parish of Kunitz in the diocese of Naumburg was only awarded to Master Vitus Keller on the condition that "as he has agreed and sworn, he will move to the parish within a year's time and from then on personally, permanently and completely reside, and will conscientiously teach good Christian doctrine and none of the currently circulating novelities."[9] Loyalty to the Catholic Church quickly became the deciding factor in the selection process for awarding prebends under princely patronage.[10]

The dynamic of the Evangelical movement, however, spurred Duke George to reflect on ways to strengthen his church governance. With the election of the German Pope Hadrian VI, hopes rose that the curia would give a higher priority to the battle against the Reformation. In January 1523, George submitted a supplication (among others) for increased powers over the clergy in his land. It was to allow him the authority to expel heretical clergymen without waiting for the results of ecclesiastical trials and their unpredictable outcomes. At the same time, Duke George strove, as "supreme collator," to gain the authority to join with patrons in selecting priests.

The revolutionary potential of this proposal for the duke's church governance has been discussed above.[11] George's initiative targeted not only Lutheran heresy, but also the need for reform among many Catholic priests. The struggles against the Reformation and for traditional church reform went hand in hand.[12] Had his demands been implemented, it would have significantly increased the duke's power to achieve both goals. George could have had the same freedom from the constraints of the *Privilegium fori* and the ecclesiastical courts that he had already achieved with regard to the laity.[13]

Although the curia did not grant Duke George's request, there is evidence that in practice the Albertine nevertheless went down that road. This is shown, for example, by the expulsion of Michael Kromer, parish priest in the village of Kunitz from 1522–1524. It is not completely clear whether the cleric was a follower of Luther, or if he was targeted because of an impious lifestyle. It

9 Duke George's letter of presentation to Wolfgang von Stolberg, cathedral provost at Naumburg, May 11, 1522, loc. 10335/29, fol. 1r, partially edited: ABKG, Vol. 1, 760, n. 4. About priestly oaths, see p. 282 with n. 24.

10 See the Sangerhausen case study, p. 290 f.

11 See ch. 11, sections 2 and 6.

12 Duke George's letter to Bishop Johann VII of Meissen in Rome, Dresden, January 4, 1523, ABKG, Vol. 1, 421–425.

13 See ch. 21.

didn't matter to the duke; in his eyes, such misdeeds were related.[14] In any case, Duke George had the bailiff at Dornburg arrest him to be turned over to the episcopal court at Zeitz. Because he was patron of the parish,[15] George had the bailiff install a new priest without waiting for a trial verdict.[16] An example from North Thuringia reaffirms that Duke George imperiously declared the benefices of suspected heretical clergymen to be forfeited *ipso facto*. Simon Hartung, the priest at Edersleben, was admonished in early 1533 by the Sangerhausen bailiff for offering the sacrament under both kinds. Shortly after, he took flight to escape the duke's arrest order.[17] Once informed, George considered the issue settled and simply appointed a new priest to the parish, which he claimed was vacant due to the disobedience of Simon Hartung (*"per inobedientiam Simonis Hartung vacantem"*).[18]

A similar pattern can be found in the orders Duke George gave to the bailiff Friedrich von Witzleben in 1534. Because of their Lutheran sentiments, the prince ordered the expulsion of the priest and preacher in the congregations of Oberdorla and Niederdorla as well as Langula.[19] This was in itself a remarkable step since the three locales belonged to the joint estate of Treffurt, which was ruled collectively by George along with the Ernestines, Hassia and the Archbishop of Mainz. This was an obstacle that had greatly hindered the duke's previous efforts against the Evangelical movement.[20]

This time, his undertaking in 1534 was even more astonishing. The prince ignored the complexities of joint rule and took severe measures. "Because the villages lie within our principality,"[21] George ordered his bailiff to expel the Lutheran clergymen, and in agreement with the patrons involved, to appoint new priests. These were exactly the kinds of politics he had envisaged in the 1523 program. It was a clear advantage that the patronage for Oberdorla's and Niederdorla's priests was held by the provost at Langensalza, an Albertine city. What is more, the provost was also the local archdeacon, who had the power

14 See Duke George's letter to the bailiff at Dornburg, Dresden, November 1, 1524, ABKG, Vol. 1, 760–762.

15 See ibid.

16 See ibid, 760, n. 4.

17 See the letters from Melchior von Kutzleben, bailiff at Sangerhausen, to Duke George, [Sangerhausen] May 12 and 31, 1533, ABKG, ms. Werl, nos. 2546, 2566.

18 Duke George's letter of presentation to the provost at Jechaburg, June, 7, 1533, ibid., n. 1.

19 See Duke George's letter to Friedrich von Witzleben, bailiff at Langensalza and Thamsbrück, Dresden, December 23, 1534, loc. 8200/9, fol. 22.

20 See ABKG, Vols. 1 and 2, passim; Küch/Heinemeyer, Vol. 3, 140.

21 Duke George's letter to Friedrich von Witzleben, 1534 (see n. 19).

to approve and invest new priests instead of the bishop.[22] In the case of the parish of Langula, the patronage rights lay with the local villagers. They were forced to cooperate by Duke George, who threatened to act without their consent and "exclude them from future prebend-related decisions," which would have been equivalent to nullifying the village community's patronage.

Finally, George explicitly urged the bailiff "to watch over and manage their priest, his preaching duties and the religious ceremonies" once the Lutheran had been expelled and the Catholic priest installed. To this end, George had in mind a sort of parish visitation to be carried out by the bailiff and local nobility under his orders. "Furthermore, we will soon prepare our horse cart so that you can visit the designated locations together with the men of the local gentry, take up quarters and determine if our orders are being strictly followed, and whether people are putting up resistance, in which case you ought to punish them with imprisonment; and to report the situation to us."[23] Not surprisingly, Landgrave Philipp and Elector Johann Friedrich issued diplomatic protests against Duke George's unilateral intervention.[24]

Parallel to anti-Reformation measures, one can observe a reinforcement of the prince's efforts toward traditional church reform. Improvement of the lower clergy had already been a goal of his pre-Reformation church politics. Now, George's measures were even more severe and determined. This was not by chance; it had more to do with the duke's conscious awareness of factors that could further the Evangelical movement. With enormous success, the Evangelicals had turned criticism of the clergy's abuses into an effective propaganda argument. The widespread dissatisfaction over the clergy's declining lifestyle and neglect of their pastoral duties threatened to drive commoners into the arms of the heretics.

With the Reformation as a backdrop, Duke George's longstanding goal of reforming the clergy gained new importance. His new motto seemed to be

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22 "You must [...] act with the provost and cathedral chapter at Langensalza to award the parishes at Oberdorla and Niederdorla, which are under their patronage, to decent priests." Ibid.—In 1472, the archdeacon's seat, which included most of West Thuringia, was located in Oberdorla itself and was administered by the provost of the local collegiate church of St Peter and Paul. When the chapter was relocated to the Wettin city of Langensalza, the Archdeaconate was also moved, although the name remained. See Bünz, "Kommunikation," 92.

23 Duke George's letter to Friedrich von Witzleben, 1534 (like n. 19).

24 See the written complaint from the Ernestine chancellery [Lochau, August 4, 1536], ABKG, ms. Werl, no. 3461; Georg von Karlowitz's letter to the Ernestine court master, Caspar von Minkwitz, Dresden, August 21, 1536, ibid., no. 3468.

"reform instead of Reformation." In August of 1524, the duke wrote about two vicars from Grossenhain who were facing severe punishment for sexual offenses, "since now, in the turmoil of today's world the sins and crimes of the noted priests are offending the common man as a provocation and as an example of wrong-doing."[25] In June of the same year, Duke George urged the officials under Mainz's archbishop to institute reform among those canons in Langensalza who were keeping concubines. This was due to increasing anger within the laity: "Alone, for the reason that lewd clergymen are starting to openly and shamelessly take concubines, causing much ill will and outrage among the commoners." The prince warned that should the priests "in these difficult currents cause even more displeasure and agitation within the common folk" he would not be able to guarantee protection from civil authority.[26]

In this state of crisis, Duke George sought relief using the deterrent of harder sanctions. He wanted the bishop of Meissen's court to penalize the two vicars who had been accused of defiling virgins "not with fines or confiscation, but with corporal punishment [...] so as to awaken fear in others."[27] In a 1525 case, George even refused to honor *Privilegium fori* with respect to the bishop of Naumburg, who belonged to the Ernestine clientele association. According to the duke's letter to the bishop's advisors, due to the circumstances surrounding offenses made by the highly criminal provost at the Frauenpriessnitz convent, he should not be turned over to an ecclesiastical court; instead, he should be punished in a secular court, "since the reported provost intentionally committed dangerous and malicious crimes against one Mattes Miltenberg, and in our opinion, was disqualified from religious freedom at the time; we will see to it that our bailiff ensures that he is punished under secular authority for his crimes."[28]

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25 Duke George's letter to Bishop Johann VII of Meissen's advisors, Dresden, August 3, 1524, ABKG, Vol. 1, 716.—See ibid., n. 1, about the vicar's crime of raping several girls. For the early-modern German term "schwächen," which means defiling or deflowering, see Baufeld, 213.

26 Duke George's letter to Erfurt's keeper of the seals, Dresden, June 1, 1524, ABKG, Vol. 1, 678 f.

27 Duke George's letter to Bishop Johann VII of Meissen's advisors, Dresden, August 3, 1524, ibid., 716.

28 Duke George's letter to the governor and the advisors of the bishop of Naumburg-Zeitz, Dresden, March 18, 1525, ibid., Vol. 2, 83.

2 Sanctions and Visitations: Cooperating with the Bishops

The secular prince's more strict approach was not intended, however, to weaken the bishops' position. On the contrary, Duke George's anti-Lutheran politics were marked by close cooperation with the territorial bishops. The bishops of Meissen and Merseburg did not feel threatened by the dominance of the duke's church politics and saw it instead as a buttressing of the traditional church. The confrontational approach, such as Johann VI's, was now a thing of the past. This also explains the brevity of the conflict over the Leipzig disputation. The collaboration between Adolf of Merseburg and Duke George was never seriously in question.[29]

It was no accident that the closest cooperation between them concerned the lower clergy. Unlike with the various religious orders, the responsibility of the bishops for the parish priests was indisputable. This kept the duke from taking unilateral action regarding the *Privilegium fori* as he regularly did in the prosecution of Evangelical laymen. As previously described, the action taken by George against the Lutheran priest, Jakob Seidel, is a good example of the day-to-day political realities. Even before the Reformation, the affiliation between duke and bishop was an unequal one. The bishop was more of an agent than a partner in the prince's church politics. Albrecht Lobeck describes the trend as follows: "One must even say that it was Duke George who led the entire fight against the Lutherans in his territory, and the bishops only lent support to the effort when it seemed advantageous to do so."[30]

It appears as though the bishops' willingness to cooperate was actually fostered by the Reformation. Above all, this was a question of the personalities involved. Both Johann VII of Meissen and Adolf of Merseburg gave unreserved support to Duke George against the Evangelical movement. It is hard to imagine a closer bond between a bishop and a secular prince than that exhibited by Johann VII. As a canon at Meissen, he had already worked for Duke George; as bishop, he was so subservient that he was chosen as procurator to submit the above-mentioned supplication of 1523 to the pope. Remarkably, the fulfillment of this petition would have made George's struggle against the Reformation easier, but it would have also dramatically diminished Johann's own episcopal rights. In 1520 the bishop showed perhaps most clearly how much he trusted Duke George's leadership and political experience. Johann had requested that George formulate an answer in the bishop's name to a written attack made by

29 About Johann VI, see ch. 8, section 1, about Adolf see ch. 15, sections 1 and 3.

30 Lobeck, 66.

Luther.[31] Likewise, in the Seidel case, the bishop's correspondence with the Regency Council was actually penned by the ducal chancellery.[32]

This did not mean, however, that the bishop did not have his own political agenda. Just like Duke George, Johann VII attempted to stabilize both his church and its traditional beliefs. In many pastoral missives, he urged penance, fasting and prayer. He also issued a mandate against concubinage on June 15, 1523 that stressed how poorly such moral depravity reflected upon the church. Another promising reform measure established by the bishop was a scholarship fund for young candidates to the priesthood.[33]

Johann VII estimated his disciplinary authority as being very weak in comparison to the duke's assertiveness. This was plainly shown by his plans for the future of episcopal property in Wurzen. Because it was bordered on three sides by Electoral Saxony, Johann apparently feared that he would not be able to bring the Evangelical movement in this area under control, despite being both bishop of the diocese and the area's territorial ruler. He conferred with George about the possibility of ceding the land to the prince in exchange for an appropriate piece of Albertine property elsewhere in the territory. There was concern among the Ernestines that Johann was working toward putting "all of the diocese properties under Duke George's control." Furthermore, there was the possibility that he was planning nothing less than the complete abrogation of his territorial independence, for which his predecessor had battled long and hard with Duke George.[34] In fact, the further decline of the bishop's secular power after the Reformation followed a similar pattern. In 1559, Elector August forced the Catholic bishop of Meissen to give up his imperial fief of Stolpen in exchange for becoming a vassal of the Wettins at Műhlberg.[35]

While Bishop Johann VII had been born into a family of the gentry that had long been in service to the Wettins, Bishop Adolf of Merseburg stemmed from a dynasty of princes competing with them. The Anhalt prince would not

31 See p. 474 f.

32 See above, section 1.

33 See Lobeck, 69–72.

34 Hans von der Planitz's letter to Elector Friedrich, Nuremberg, November 1, 1521, Virck/Wülcker, 21–27. Planitz received secret information about the plan from Dietrich von Techwitz, the dean at Wurzen and Electoral Saxony's representative to the Imperial Chamber Court. Apparently the first step was to transfer to Duke George the presentation rights of all canonries in the Wurzen chapter. See also Lobeck, 66 f. –About Johann VI's role, see ch. 8, section 1.

35 See Groß, *Sachsen*, 79 f.

forfeit his secular powers, but he cooperated very closely with Duke George.[36] Working together with bishops outside of Albertine territory, however, was considerably more difficult. For example, Cardinal Albrecht and the Bishop of Breslau were independent princes from whom George could not demand cooperation, but only request it. Even more complicated was the situation in Naumburg, which belonged to Ernestine clientele. In Cardinal Albrecht's case, one can observe attempts to join in the common fight against the Evangelical movement, but they suffered from the bishop's wavering and indecisive attitude toward the Reformation.[37] It was no coincidence that in many cases, Duke George's measures against the Evangelical clergy in areas outside the jurisdictions of Meissen and Merseburg were infringing on episcopal authority. This was so in the above-mentioned cases of the priest's expulsion from Kunitz, the joint estate at Treffurt and the duke's refusal to turn over the provost at Frauenpriessnitz to the bishop of Naumburg, the only time that George intentionally ignored *Privilegium fori* during the Reformation.

Finally, another powerful tool of church governance in the fight against the Reformation was reactivated with Duke George's support: the episcopal visitation. The visitation of priests had more or less ceased to be practiced during the late Middle Ages.[38] While contrary to general opinion, diocesan and archdeaconate synods were held quite regularly in Saxony,[39] the sources show no evidence of bishops making visitation journeys. However, the idea of episcopal visitations remained a lively topic in contemporary discussions about church reform.[40]

Visitations had also not been forgotten within Duke George's circles. In a ruling by the Leipzig arbitration of 1511, which ended the dispute between

36 Instead of dozens of individual cases, which are available in the ABKG, the examples given below reference the visitations from 1522 and 1524, as well as the preachers in Leipzig and Pegau.

37 An example of Cardinal Albrecht's maneuvering is the way he handled the Lutheran Augustine monks. In early 1522 he was asked, as local bishop, how to deal with an imprisoned monk. Albrecht gave permission to continue the detainment. A few months later, however, he dismissed a similar case involving two monks from Langensalza, whom he deemed exempt because they were Augustine hermits. See Cardinal Albrecht's letters to Herzog Johann the Younger, Halle, February 4, 1522, ABKG, Vol. 1, 263 f.; id. letter to Duke George, Nuremberg, November 24, 1522, ibid., 392 f.

38 About one of the rare cases of late medieval visitations in the Empire, which was held in the diocese of Regensburg in 1508, see Mai/Popp.

39 See ABKG, Vol. 1, LXXXV; Wiegand, "Statutengesetzgebung Meißen"; further, id. "Diözesansynoden."

40 See Jedin, "Bischofsideal," 77–84; Logan.

George and Johann VI, the duke's wish for the reform and visitation of all nun convents was included.[41] Published around the same time, the *Vita Bennonis*, which had been commissioned by George, mentioned the yearly visitation of parishes as an important feature of episcopal duties.[42]

Several examples of parish visitations can be found in the duke's church politics. For instance, at George's request to Cardinal Albrecht in 1520, a combined episcopal-ducal commission performed a visitation of two priests in the Saale River area because their congregation had complained about their neglect of pastoral duties. The prince chose another mixed commission in 1517 for a visitation of the priest at Senftenberg.[43] In light of the pivotal role of visitations for both the Protestant Reformation and Catholic Reform,[44] this is yet another indication of just how modern Albertine politics were.

While visitations in Saxony are usually discussed as an invention of the Reformation, it is noteworthy that the first visitations that were held in the Lutheran heartlands during the sixteenth century were actually anti-Lutheran measures. Duke George played a decisive role in this. The mandate of January 1522 that he had obtained from the Regency Council specifically called on bishops in Central Germany to take disciplinary action against supporters of the Reformation within the clergy. Referring to the mandate, Bishop Johann VII of Meissen announced a visitation to take place that same year. His travel plan was quite remarkable, with stops that included Torgau, Herzberg, Lochau, Schmiedeberg, Leisnig and Colditz. This meant visiting only two of the nine archdeaconates in his bishopric, while failing to include important locales such as Wurzen, his secondary residence. Why this was is actually as simple as it is revealing; the visitations were focused on areas at the edges of the Meissen bishopric, specifically those pockets of Evangelical outposts that were under Ernestine territorial rule, precluding visitations to Albertine and Lausitz areas. In the much smaller bishopric of Merseburg, the visitations of 1524 followed a similar pattern. Here the bishop, while addressing the whole diocese, clearly made special efforts to target Evangelical priests from areas under Ernestine rule and bring them before the episcopal court.[45]

41 See p. 214.

42 See Volkmar, *Heiligenerhebung Bennos*, 129–140.

43 See p. 323 f. (Dornburg and Vierzehnheiligen) and p. 415 (Senftenberg).

44 See Molitor/Zeeden; Peters.

45 About the visitations in Ernestine Saxony, see Kohnle, *Reichstag*, 108–112. From older literature, see Pallas, "Visitationsreise"; Pallas, "Merseburg"; Fraustadt, *Einführung*; Lobeck, 64–66; as source edition, see Pallas, "Briefe und Akten."

Visitation by Albertine bishops was not only an instrument for battling heretics and bringing about Catholic reform, it was also a kind of Albertine "foreign policy." The goal was nothing less than containment of the Reformation within Electoral Saxony. Considering Duke George's leverage with the bishops, he can easily be identified as the *spiritus* rector of the visitations. Visitation may therefore be seen as a means of extending the prince's church politics beyond his own territorial borders.[46]

Because Elector Friedrich felt the pressure that George had built up with the Regency Council mandate, he found it necessary to somehow accommodate the bishops. He accepted the visitors and sent officials to their sides, not so much to lend support as to influence them instead.[47] While targeting Evangelical priests with their visitations, the bishops also tried to reach the laity through traditional preaching. Two of the most experienced preachers in George's territory were assigned this task: the theology professors Johannes Hennig and Hieronymus Dungersheim.[48]

Ultimately, the visitations resulted in a clear defeat for the Catholic side. While the bishops banned several Evangelical priests from preaching and holding mass, and demanded that the priests leave the bishopric, in the end, the bishops posed only empty threats; they simply received no executive backing from the Ernestine authorities, who claimed that they had no responsibility for ecclesiastical matters. Adolf of Merseburg, realizing this, even offered to transfer his episcopal authority to the Ernestines so that they would have no further excuse for remaining passive. Elector Friedrich, however, vehemently rejected such an increase in his church governance, bolstering his argument (ironically) with canon law.[49] Consequently, the Evangelical priests were able to safely ignore their bishop with the protection and support of Ernestine members of the visitation commission, who were under specific orders to prevent any arrests by the bishop.[50]

Luther's reaction to these visitations reveals, however, that they had made an impression. In his 1522 pamphlet *Against the Spiritual Estate of the Pope and Bishops* ("Wider den falschgenannten Stand des Papstes und der Bischöfe") he rejected episcopal disciplinary authority as not being in accordance with scripture. A few years later, however, this did not stop him from proposing that visitation be used as a tool by Evangelical princes in their role as "emergency

46 See ch. 17, section 2.

47 See the literature in n. 45.

48 See Freudenberger, 171–184.

49 See Pallas, "Merseburg," 13 f.

50 See Pallas, "Visitationsreise," 40 f.

bishops."[51] One might even discover some measure of practical continuity between the episcopal visitations of 1522–24 and the first Evangelical visitations in Electoral Saxony; for example, the commissions were made up of both religious and legal advisors, as was common in visitations of monasteries.

While Hieronymus Emser was quick to defend visitation as a useful instrument of reform against Luther's attacks,[52] episcopal visitation played only a secondary role in the fight against the Reformation in Albertine territory. The close collaboration between church governance and episcopal jurisdiction proved to be more effective in day-to-day matters than occasional visitation could possibly be. There is no evidence that the 1522 Meissen visitation ever extended to Albertine territory.[53] Furthermore, in the cases of the Merseburg visitation of 1524 and a visitation to the University of Leipzig in 1522, (that we know took place with certainty) only very small parts of Albertine territory were touched. The Bishop of Merseburg reported both trips in detail to Duke George, who offered Adolf the support of his local officials.[54] The university investigation found the teaching staff to be free of Lutheran heresy. The students' sentiments were less certain, leading to a joint mandate issued by the bishop and duke regarding the handling of heretical books.[55] In 1524, the bishop interrogated priests, monks and even municipal councilors and, in cooperation with the duke's advisors, took action against suspected heretical priests. While many priests had to turn over their Lutheran books, a vicar in Rochlitz was only given a deadline to exchange his benefice and leave the bishopric.[56] As valuable as the bishop's reports are in providing insight into anti-Lutheran politics, visitation did not have a greater impact than many other measures of church politics.

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51 See Kawerau, 42. About Luther's (later) attitude regarding the institution of visitations, see Brecht, Vol. 2, 253–266.

52 See Kawerau, 42 f.

53 Corresponding hints in the older literature (see Flathe, 685) do not seem very reliable. Neither the evaluation of the ABKG nor the author's archival research yielded evidence of an alleged visitation carried out in Albertine Meissen in 1524. Also Lobeck, 72.

54 See Duke George's letter, Dresden, April 17, 1524, loc. 9033/2, Vol. 4 and 7. For the bishop's trip, the addressees named for each stop were: Dr. Georg von Breitenbach and Georg von Wiedebach for Leipzig, the bailiff at Rochlitz, Georg von der Pforten for Rochlitz and Geithain, the burgrave von Leisnig for Penig and Cäsar Pflug for Pegau (the last two as lords of the local gentry).

55 See p. 593 f.

56 See Bishop Adolf of Merseburg's visitation report to Duke George, Merseburg, May 13, 1524, ABKG, Vol. 1, 664–671. See also Pallas, "Merseburg."

CHAPTER 20

Territorial Politics against Evangelical Monks

> […] and I would very much like to see where in the Gospel it says that a monk or nun who is committed to chastity can run away from their monastery and get married […]. For it is written: Take a vow, and keep it, and God says 'Your word should be yes or no.' While God wishes 'yes' or 'no' to be words that are kept, he wishes much more for a vow to be kept. […] How many pious runaway monks or nuns have Your Grace known? Did they not generally turn out to be whores and rascals?[1]

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The rejection of monastic life by the Reformation marked a turning point in European cultural history. Luther's theology struck at monasticism from the inside by building on monastic ideals and then surpassing them.[2] The "high performance piety" of "religious virtuosos," which Max Weber has attributed to Western monasticism,[3] was no longer compatible with Luther's *sola gratia, sola fide* path to salvation. The massive exodus of monks and nuns which occurred early in the Reformation amounted to a "voting with their feet" (Enno Bűnz).[4] Those directly affected drew the consequences from Luther's criticism of the monastic lifestyle. Their conscientious decision was one of the clearest signs of a theological shift that would fundamentally alter European society.[5]

Duke George kept a careful eye on events unfolding in his territory's monasteries, but he did not confront Luther directly on this matter, leaving it up to others to step forward with their apologetic pamphlets.[6] Nor did the prince

1 Duke George's letter to Landgrave Philipp of Hesse [Dresden, February 27, 1525], ABKG, Vol. 2, 52–57.

2 See Brecht, Vol. 1.

3 See Weber, *Wirtschaft und Gesellschaft*, 327 f.

4 Bünz, "Ende," 83.

5 On the current state of research, see Schilling, *Klöster und Mönche*; for Saxony see Bünz, "Ende"; Köhler, *Nimbschen*, 117–136.

6 Such as the directly affected abbots at the monasteries in Altzelle and Pegau, Paul Bachmann and Simon Blick. See Paul Bachmann, *Czuerrettung den schwachen ordens personen* […], Dresden [Emser's press] 1524 (VD 16 B 29); Simon Blick, *Verderbe vnd schade der lande vnd*

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call for political action since most of the monasteries in his territory had already been successfully reformed. It wasn't until the late 1530s that the focus turned again to monastic reform, this time with the primary goal of securing economic stability for the troubled institution.[7]

Duke George's opposition to Luther's attack on monasticism was informed by his pronounced sense of justice. He understood the vows of monks and nuns to be legally binding oaths with far-reaching consequences, such as the loss of all secular legal rights. Dispensation could only be granted by the pope.[8] By leaving their monasteries, Luther's followers were breaking both ecclesiastical and secular law. It is not surprising that those leaving monasteries were accused of criminal intent. George exploited this theme, claiming that runaway monks and nuns always revealed themselves to be whores and scoundrels.[9] The duke considered those who broke their vows to be dishonorable, and he consistently refused to acknowledge their legal rights. This was so in the case of a succession in Pirna[10] as well as in the attestation of a former prior from the Kőnigstein monastery. George held the witness's testimony to be worthless because it was known "how much to trust or believe the handwritten testimony of a man who has violated his vow and abandoned his habit and order."[11]

This legal approach to religious vows was particularly evident in his conflict with Luther. By the start of 1523, George had added "apostate runaway monk" to his list of accusations against Luther.[12] There is not a clear reason behind the timing of this attack, since Luther's *De votis monasticis* had already been published in 1521, and he didn't lay aside his monk's habit until 1524.[13] Perhaps

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leuthen am gut, leybe, ehre vnd der selen seligkeit ausz Lutherischen vnnd seins anhangs lehre zugewant, Leipzig: Wolfgang Stöckel, 1524 (VD 16 B 5731). See also Smolinsky, *Alveldt und Emser*, 358–363, 380.

7 See Gess, *Klostervisitationen*.

8 See Bünz, "Ende," 80 f.

9 See the quote at the beginning of the chapter.—Felician Gess emphasizes the topical nature of this argument with a reference to the Meissen synod statues of 1504. See Gess, *Klostervisitationen*, 14 f. About the statues, see also Wiegand, "Statutengesetzgebung Meißen."

10 See Duke George's letter to the Pirna municipal council, Dresden, November 22, 1523, ABKG, Vol. 1, 566 f.

11 Duke George's letter to Siegmund von Arras at Thürmsdorf, Dresden, December 23, 1524, ABKG, Vol. 1, 784.

12 Duke George's letter to Elector Friedrich, Dresden, January 27, 1523, ibid., 451 f. See also Duke George's letter to Dr. Dietrich von Werthern, Dresden, December 11, 1522, ibid., 394–399.

13 See Brecht, Vol. 2, 30–34, 99–108.

it was the attack on George's honor in Luther's note to Hartmut von Cronberg that later motivated the duke to prove that it was Luther who was dishonorable.[14] In any case, it is noteworthy that from this point onwards Duke George regularly repeated the fact that Luther had broken his vows. This was despite the much more grievous condemnations Luther had received from the pope and Emperor, not to mention the accusation of heresy. For Duke George, the fact that Luther had been untrue to his monastic vow was proof of his moral corruption, which shed light on the false teachings of the Reformation. The duke was even more convinced of this after Luther's marriage to Katharina von Bora. George confronted Luther with the weakness of his flesh, counting his marriage to a nun as amounting to two broken vows that the reformer now had on his conscience.[15]

However, there was more to Duke George's accusations than just spite. The personal profile of Luther that he had conjured up was generated by the specific view of the Reformation's core message that George held. As with the Peasants' War insurrection,[16] the duke felt that Luther's lack of honor and morals were the fruits of his teachings. George saw, in Luther's theology of justification by grace alone, his emphasis on Evangelical freedom and his rejection of the pope and canon law, attempts to promote laxness and immorality from behind the cover of the Gospel. Furthermore, he suspected that it was moral decline that turned many of Luther's followers toward the Reformation.[17] In Duke George's eyes, Luther set the example himself: "It seems clear that Martinus gave up monasticism and threw the monks out of the Wittenberg monastery so that he would have more room to live with his Kethen (i. e. his wife, Katharina von Bora). To live off the goods that previously fed an entire convent suits him well, since he is nourished by pleasures of the flesh. As the master does, so do his students." Therefore, the fear was that the Lutherans would drive away those living in the convent, "threatened by the eternal torments of hell for the promise of endless carnal pleasure and bliss."

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14 See also p. 478–480 and p. 501 f.

15 See Duke George's letter to Martin Luther, Dresden, December 28, 1525, ABKG, Vol. 2, 472–478.

16 About how the Peasants' War was interpreted as "proof" that the Reformation incited unchristian disobedience and rebelliousness against authority, see p. 571–573.

17 Concisely summarized, George's train of thought can be found in his Imperial Diet instructions from late 1525. They indicate a general reckoning with the Reformation after victory in the Peasants' War. See Duke George's instructions to Dr. Otto Pack for the Augsburg and Speyer Imperial Diets, Dresden, December 26, 1525, ABKG, Vol. 2, 461–471.—see also ch. 16, section 3.

Against this backdrop, Duke George was now able to turn Luther's broken monastic vows into a general argument against the entire Reformation, since it was based "solely on an apostate runaway monk's claim that when he speaks, it is the Gospel."[18] Because the dispute over beliefs had been sparked by proper interpretation of the Gospel, George believed the reputation of the interpreter was decisive in indicating where divine truth might be found.[19]

Since the February mandate, the territorial struggle against the Reformation had been focused on runaway monks, especially since they were seen as potential proliferators of Lutheran ideas. Territorial officials were more efficient at pursuing them than prosecuting priests. It was not even necessary to gather evidence of Lutheran sentiments against a runaway monk; he could be convicted *ipso facto*. As was done with priests, the duke acknowledged the *Privilegium fori* and turned prisoners over to the heads of their orders.[20] In the case of the Augustinian hermits in 1522–23, however, this rule was not followed. Leading the order was the Observant vicar Wenzeslaus Link, a professed follower of Luther; it was therefore not expected that he would exact punishment against those who were like-minded. Because Cardinal Albrecht did not wish to take responsibility for Augustinian prisoners from Eisleben and Langensalza, they remained in secular detainment.[21]

In the case of members of non-exempt orders, Duke George called on the bishops. In the process, he sometimes ignored diocese boundaries in order to ensure the greatest amount of control over ecclesiastical court cases.[22] As a

18 George's instructions, 1525 (like n. 17).

19 This was George's argument against the *Confessio Augustana* at the Augsburg Imperial Diet in 1530. Because both sides invoked the Gospel, the reputation of the interpreter had to be the deciding factor. On the side of the traditional church stood the church fathers, and for the new teachings only a "runaway monk, Martin Luther, who broke his vows to satisfy his carnal lust." Duke George's draft of a speech for the Augsburg Imperial Diet [Augsburg, September 1530], ABKG, ms. Werl, no. 2051.

20 George transferred a prisoner from Dűren on the Lower Rhein River (who had been arrested in Chemnitz) to the provincial superior in Cologne. In turn, the superior wished to remand the runaway, a former provost at Memleben, to the abbot of the mother convent at Hersfeld for punishment. See Duke George's letter to the provincial superior of the Carmelites at Cologne and to the municipal council at Chemnitz, Dresden, December 27, 1522, ABKG, Vol. 1, 405 f.; letter from id. to Dr. Dietrich von Werthern, Dresden, May 26, 1524, ibid., 676.

21 See letters from Cardinal Albrecht to Duke Johann the Younger, Halle, February 4, 1522, ibid., 263 f.; Letter from id. to Duke George, Nuremberg, November 24, 1522, ibid., 392 f.

22 In this way, the bishop of Breslau leveled charges at Duke George against the abbot of the Augustinian canonry at Sagan (bishopric of Breslau) in 1524. The abbot was cited as a Lutheran, which prompted George to order the bailiff at Sagan to arrest and transfer

deterrent, the duke went after any layman who lent support to runaway monks.[23] With the enormous pressure brought to bear in the pursuit of those who had left their monasteries and convents, it seems unlikely that many could have remained in Albertine Saxony for very long. Like the prior of the Kőnigstein monastery, many fled immediately to Wittenberg, leading Duke George to name the city as the gathering point for all the renegades of his territory.[24]

Along with chasing after those who had run away, there were also attempts at prevention. George even refused to give up on Saxony's Augustinian hermits, although Luther's personal influence was particularly strong in this order. Without the approval of the order's leadership, the duke intervened deeply into the autonomy of the monasteries, much in the tradition of his pre-Reformation monastic reform. The duke had already warned the monks in Altendresden in December 1521 not to follow the bad example set by their Wittenberg brothers. He threatened to replace them with more trustworthy monks. The Augustinian friars responded with assurances that they wished to remain with the traditional church.[25] George planned to arrest the pro-Lutheran prior at Langensalza and at the next opportunity made arrangements for his deselection. When the duke heard of Vicar Link's plan for a congregational chapter to release monks who wished to leave their order, he quickly prohibited Albertine monasteries from participating. It was with great satisfaction that Duke George received a request from the newly selected vicar for assistance in refilling vacancies at the Sangerhausen monastery.[26] All things considered, George's success was very impressive. While Augustinian monasteries everywhere else were disbanding,

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him to the bishop of Meissen's prison at Stolpen. The arrest did not occur since the abbot successfully defended himself against having been falsely accused. See the letter from Seifried von Nechern, bailiff at Sagan to Duke George [Sagan], April 5, 1524, ibid., 637; also ibid., passim.

23 See e.g. Duke George's letter to Heinrich von Schönberg, bailiff at Schellenberg, Dresden, March 12, 1523, ibid., 480 f.

24 "For this, you have established a haven in Wittenberg for all monks and nuns who have robbed our churches and monasteries like thieves. They find asylum with you and a place to reside as if—to put it mildly—Wittenberg were a gathering place for all the renegades from our territory," Duke George's letter to Luther, 1525 (like n. 15).

25 See Duke George's letter to chancellor Dr. Johann Kochel, Schellenberg, December 2, 1521, ABKG, Vol. 1, 215 f.; Letter from Dukes Johann the Younger and Friedrich the Younger to Duke George, Schellenberg, January 7, 1522, ibid., 244 f.

26 See Duke George's letter to the bailiff and municipal council at Sangerhausen, Dresden, May 7, 1524, ibid., 661 f.

he stabilized the four in Albertine territory, which were still active at the time of his death in 1539.[27]

Duke George had less luck with the Coelestine monastery he had established at Kőnigstein. After paying a visit and sensing Lutheran sympathies among many of the monks, the duke initiated visitations in mid 1523 at both the Kőnigstein monastery and its mother convent at Oybin by reactivating the services of the Prague administrator Johannes Žak. According to George, a new prior needed to be appointed, Lutheran books confiscated and those residing at the monastery exchanged for other monks.[28] Together with the bishop of Meissen, Duke George personally conducted the visitation in the fall of 1523. He made a special gesture toward Prior Johannes Mantel, presenting him with a copy of Emser's rebuttal of Luther's September testament.[29] Just weeks later, however, Mantel donned civilian clothing and fled to Wittenberg.[30]

In the following year, five more monks left the Kőnigstein, fulfilling all negative clichés. While still in the monastery, they obtained expensive civilian clothing. Then, while leaving, they misappropriated money from the monastery and squandered it on getting drunk at a village inn. There, they jokingly sang songs from the mass and made insulting remarks about Duke George and the bishop of Meissen.[31] One of the duke's alert bailiffs was able to arrest two of the runaways at Senftenberg. George had his chancellor interrogate them and bring them to the mother convent at Oybin. With only a single monk remaining, the Kőnigstein monastery was closed down.[32]

Despite some successes by the duke, the landscape of Albertine monasteries was severely undermined, with economic problems being added to the personnel issues. These were caused by the subversion of the monasteries, but even more by the change in attitude toward monasticism among the laity. This was evidenced by a decline in alms for the begging orders, as well as an attempt to do away with guaranteed contributions to the large territorial monasteries. The income of Albertine monasteries located in Ernestine areas was particularly

27 See Gess, *Klostervisitationen*, 16–20. For context, see Kunzelmann, Vol. 5.

28 See Duke George's instructions [late June 1523], ABKG, Vol. 1, 533–537.

29 See Duke George's letter to the prior and convent of the Coelestine monastery at the Königstein, [Dresden] December 4, 1523, ibid., 578 f. also ibid., n. 3 and 4.

30 See the letter from Hans Karra, bailiff at Pirna, to Duke George, November 8, 1523, ibid., 563–565.

31 See the letter from id. to id., Pirna, April 24, 1524, ibid., 658 f. also the report, ibid., 659, n. 1.

32 See the letter from Bartel Prassler, bailiff at Senftenberg, to Duke George, May 11, 1524, ibid., 662 with n. 3; Duke George's letter to the prior and convent of the Coelestine monastery at Oybin, Dresden, May 16, 1524, ibid., 671 f. About the history of the monastery, see also ch. 10, section 1.

affected. In 1525, the Peasants' War created a further crisis in Thuringia. Monks and nuns fled before the peasants into the margravate of Meissen, and many of the monasteries in the countryside were completely destroyed. Nonetheless, directly after his victory at Frankenhausen, Duke George began a program of reconstruction with some monasteries being resettled, while others merged. Legal titles and monastery property were registered everywhere to ensure proper entitlements.[33] This led to the reinforcement of the pre-Reformation trend toward ducal supervision over monastic economics. Further momentum came from the visitations of 1535–1539.[34]

During the Reformation, Duke George supported Albertine monasteries in their religious duties as well as their worldly assets. This prevented the complete disintegration of the monastic orders in Saxony and created chances for the future—heavily dependent, however, on the future politics of the Saxon dukes.

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33 See Gess, *Klostervisitationen*, 20 f.; Bünz, "Ende," 85.

34 See Gess, *Klostervisitationen*, 22–45; Kühn, 11–17.

CHAPTER 21

Territorial Politics against Evangelical Subjects

> My subjects are so wicked and foolish; obviously, if they did not fear me and were not afraid that I would not stand for it, they would all go ahead and join this thing.[1]

In the decades before the Reformation, the prince's church politics had been heavily focused on the laity. Duke George considered the God-fearing behavior of his subjects as the foundation for the well-being of his land and his church. The amount of attention paid to the laity's piety and compliant conduct was insufficient to anticipate the special challenges of the Reformation, but it did help prepare for its influence. George was well disposed with his pre-Reformation church politics. It allowed him to see not only priests and monks but also laymen as supporters of the Evangelical movement, and to take them seriously. The duke understood that one of the Reformation's sharpest weapons was its attractiveness to the laity. He tried to win the hearts and minds of laymen with activities among the reform-minded public, such as promoting pamphlets written in the vernacular and translations of the Catholic Bible. With all the resources of church governance at his disposal, he also readily employed sanctions within his own territory.

1 The Prosecution of Lutheran Laymen

Even prior to the February mandate, Duke George took severe measures based on the Edict of Worms that targeted those in the laity who had joined the Evangelical movement. In late 1521, the citizens of Dőbeln experienced this in the flesh. With support from the municipal council, the Lutheran priest

1 Duke George's letter to Duke Johann the Elder, Schellenberg, November 21, 1521, ABKG, Vol. 1, 208–211.

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Jakob Seidel began preaching at the Dőbeln city hall in October 1521.[2] A verbal confrontation quickly followed between Seidel's followers and the city's Catholic clergy, who apparently notified the duke. In the subsequent interrogations, which were carried out by two of Duke George's advisors, the true level of Evangelical sympathies among the citizenry and town council came to light. In Dőbeln, the clergy and townspeople were already split into Evangelical and Catholic factions.[3]

On December 9, 1521, Duke George held a criminal tribunal in the city. Referring to the papal bull and the Edict of Worms, he accused citizens in Dőbeln of being followers of Seidel (known for his secular clothing and un-tonsured hair), despite the fact that he was not a legitimate priest. As was his tendency, George linked Evangelical sympathies to moral corruption. He claimed that Seidel had "married his concubine," gambled for money, caroused with alcohol and broken his word by once more serving as a priest against the bishop's orders. The actual accusation, however, was directed against the leading representatives of Dőbeln. They had enabled Seidel's dubious appearance and sermon at city hall, despite opposition by the local clergy. "Then, you let such a man lead you from the righteous path. What would happen if the Antichrist came and threw money around? We cannot [...] take this any other way, as that you have lost all obedience to the Christian church and you are eager to accept the teachings of the damned and excommunicated heretic Martin and his disciples, wishing to join and be respected as heretics."[4]

For George, the Dőbeln laity had freely made a choice on the side of heresy, and he held them fully responsible for it. While Seidel disappeared into the bishop's tower for the next two years, the prince dismissed his followers on the municipal council and in the city court. All who has listened to the Evangelical sermons had to spend at least a week in jail on bread and water, and afterward were required to plead for absolution from the bishop of Meissen.[5] Planitz had heard from Duke George in Nuremberg that Dőbeln's citizens were imprisoned in groups of thirteen, "until all in the area were punished who had been

2 About the Seidel case, see p. 514 f.

3 See the report to Duke George by his advisors Bartel Prassler and Thomas von der Heyde, Döbeln, December 4, 1521, ABKG, Vol. 1, 217–226.

4 Duke George's letter to the municipal council and community of Döbeln, Schellenberg, December 9, 1521, ibid., 227 f.

5 See the letters from Dukes Johann the Younger and Friedrich the Younger to Chancellor Johann Kochel, Schellenberg, December 22, 1521 and January 5, 1522, ibid., 231 f., 242 f.

followers of the priest."[6] The duke had used the Edict of Worms to force obedience from the people of Dőbeln. Since it would have allowed him to treat them as excommunicated and outlawed, his actual punishments seemed merciful by comparison.[7] The example he set apparently worked; there was no further mention of Evangelicals in Dőbeln for the rest of George's rule.[8]

There was a spectrum of transgressions against church rules with which Albertine subjects indicated their adherence to Lutheran doctrine. The taking of communion under both kinds and running off to follow Evangelical priests were just the most obvious among them. Violations of the fasting rules were another especially common sign of Evangelical affiliation.[9] Like some of the other changes in the lifestyle of the laity, these were motivated directly by the concept of Evangelical freedom. The new self-determination also led to marriages between members of the laity and monks or nuns who had abandoned their orders.[10] It was apparently Lutheran influence that led a mother in Delitzsch recovering from childbirth not to participate in the ritual of initiation into the church.[11] Finally, the zealotry of the new movement invited

6 Hans von der Planitz's letter to Elector Friedrich, Nuremberg, January 2, 1522, Virck/Wülcker, 58–62.

7 See Duke George's letter to the municipal council and community at Döbeln, Schellenberg, December 9, 1521, ibid., 227 f.

8 See Wartenberg, *Landesherrschaft*, 39–41.

9 For example, disobeying fasting rules by eating sausages in Leipzig during the New Year's market. As indicated by a petition from his wife, the innkeeper Wolfgang Puschinger was arrested for this reason by the Leipzig city council in February 1522 under orders from Duke George. He remained in prison until early March. See Duke George's letter to Duke Johann the Younger and Duke Friedrich the Younger, Nuremberg, February 5, 1522, ABKG, Vol. 1, 264–268; Letter from Duke Johann the Younger and Duke Friedrich the Younger to Duke George, Dresden, March 3, 1522, ibid., 283 f.

10 For instance, the marriage of Hans Marschall from Löbnitz to a former nun in 1523. See Duke George's instructions to the governors due to his departure for the Regency Council at Nuremberg [late June 1523], ibid., 533–537. In another case, when the new husband of the runaway nun Christine von Honsberg demanded a dowry from his wife's family, Duke George stressed the illegitimacy of such unions. See Duke George's letter to the judge and his associates at the Dresden supreme court (*Oberhofgericht*), Dresden, September 14, 1525, ibid., 397 f.

11 See Duke George's letter to the Delitzsch city council, Leipzig, January 9, 1525, ibid., Vol. 2, 5.

attacks against traditionally minded priests. Public defamations, abusive letters and broken windows were not uncommon during the heated winter of 1521–22.[12]

As recounted in detail to Hans von der Planitz, Duke George's personal interest in punishing errant laymen can be observed again and again. The prince often decided the verdict himself. Delinquents were usually arrested by local authorities, then freed on bail until a verdict was handed down from Dresden. In 1524–25, the duke took a personal interest when many people from Annaberg went into Ernestine territory to hear Friedrich Mykonius preach at nearby Buchholz.[13] Forty men, mostly craftsmen, "who had gone to Buchholz to attend the sermon and mass," were summoned before Duke George, who wished to decide their punishment himself. The duke spent four hours speaking to the prisoners in small groups in order to appeal to their conscience.[14] Upon hearing their punishment, the men pleaded urgently for a period of probation; George had expelled them from his territory![15]

Duke George also made it clear to the rest of the Annabergers that attending banned sermons in Buchholz would be met with the most severe consequences. Councilmen and quartermasters were to "go house to house" to personally inform every resident about the prohibition.[16] Nonetheless, the Evangelical movement remained stronger in Annaberg than perhaps in any other Albertine city. As George had feared in 1522, due to tensions caused by

12 See Wartenberg, *Landesherrschaft*, 23–59; ABKG, Vol. 1, passim. Examples can be found for Leipzig, Dresden, Oschatz and Annaberg.

13 About the context, see Moeller, "Annaberg," 107–110.

14 List of Annaberg citizens [second half of (?) 1524], loc. 9827/27, Bl. 7–9, edited: (under the date April 7, 1524) Seidemann, *Erläuterungen*, 103 f. Johann Karl Seidemann dated the list by referring to other material in the file, but this seems rather unlikely. Felician Gess was reluctant to follow Seidemann here. (See ABKG, Vol. 1, 637 f.). The probable date lies in the second half of 1524. This is not just supported by the citizen's request for probation extending to the next night of fasting, but also by the mention in a letter from December 1524 of a related case which threatened to expel 40 residents of Annaberg (see next n.).

15 "[…] his grace wishes to punish most of them as it deems right to him; they have submitted to his will, but pleaded that his grace might hold the expulsion from now until next shrovetide and observe how they behave themselves." Contemporary dorsal notes to the list of Annaberg names, loc. 9827/27, after fol. 9.—Here, the early-modern German term "vorweysung" translates as "Ausweisung, Vertreibung" (meaning: expulsion), (see Baufeld, 87). This corresponds to an expulsion threat by Duke George against 40 persons in late 1524, although here the location in question is unclear—Freiberg or Annaberg. See the letter from Valentin Elners to Master Stephan Roth in Wittenberg, Freiberg, December 11, 1524, ABKG, Vol. 1, 774–776.

16 Letter from Matthes Pusch, mountain bailiff at Buchholz, to Elector Friedrich, Zwickau, August 22, 1524, ibid., 727–730.

social and geographical realities, he could only hope that his actions would keep things calm on the surface.[17]

As this case shows, long before the Edict of September 20, 1532 and the resultant mass exodus in Leipzig,[18] Duke George had already ordered large-scale expulsions of hardcore Evangelicals. Contrary to Gűnther Wartenberg's view, banishment was already being used in the early Reformation as the most potent of weapons against heretics.[19] By 1523–24, it had already been imposed on several craftsmen in Leipzig and was used to threaten the citizens of Sangerhausen who had attended Thomas Műntzer's preachings in Allstedt. The effectiveness of this threat was revealed by the people of Sangerhausen as they appeared before Duke George and pleaded "for merciful forgiveness."[20] Depending on the gravity of the offense, other Lutherans were punished with fines and imprisonment. When several residents of Chemnitz were turned in for assisting runaway monks, Duke George did let them choose their penalty: "to spend four weeks in the prison tower […], or pay a fine of 10 good Schock [of Groschen]".[21] In general, his goal was to use severe punishment as a deterrent. For instance, in 1522, he wrote to his Imperial Diet representative, "Just today, we confiscated one miscreant's possessions, which will cost him at least 1000 guilder to retrieve."[22]

On the other hand, none of Luther's followers were ever executed in Saxony. The two death sentences often linked to Duke George's fight against heresy were actually handed down for insurrection.[23] At first glance, choosing not to burn heretics at the stake seems remarkable since George was considered the most ardent Reformation opponent among German princes. It would be a

17 See Moeller, "Annaberg," 107–110. For George's comments about Annaberg, see p. 483.

18 See Lobeck, 74.

19 "There were no known expulsions of citizens due to pro-Lutheran sympathies prior to 1525," says Wartenberg, *Landesherrschaft*, 61.

20 See Duke George's letters to the Leipzig city council, Dresden, September 29, 1523 and April 12, 1524, ibid., 553 f., 647 f.; Letters from id. to the bailiff and municipal council at Sangerhausen, Dresden, August 2 and September 5, 1524, ibid., 714–716, 733.

21 Duke George's letter to Heinrich von Schönberg, Dresden, March 12, 1523, ibid., 480 f.—A „Schock" (three-score or 60) of Groschen was worth approximately three florins. A fine of 10 Schock was a substantial sum, equivalent to 25 to 30 florins.

22 Duke George's letter to Dr. Dietrich von Werthern, Dresden, December 11, 1522, ibid., 394–399.

23 About the execution of Michael Rumpfers see Hoyer/Schwarz, 114–116; Steinmetz/Czok; about the case concerning Hans Hergot see Hoyer, "Hinrichtung," 130. See also p. 591.—Even Martin Luther acknowledged, in a 1533 pamphlet, that Duke George, while prosecuting his followers, would not have them executed. See WA, vol. 38, 108–127.

mistake, however, to interpret this as a sign of tolerance or even doubt about the heretical nature of the Evangelical movement.

In truth, the duke found banishment to be the less expensive and easier alternative to execution. In the Middle Ages, expulsion was typically seen as a merciful punishment for those under the death sentence. More importantly, the imposition of exile fell within the prince's authority as highest secular judge in the territory, while the execution of heretics required an ecclesiastical trial.[24] In fact, the pope had reserved for himself the right to try Luther and his followers for heresy. Subsequently, it was not until 1523 that Bishop Johann VII of Meissen first requested approval to hold trials and carry out the death sentence. It is unclear whether or not he received permission.[25] As a tool, exile was simply more efficient, and no trial was required. Functionally, the outcome was a similar success. The stubborn heretic was removed, and the Christian congregation was able to carry on in the eyes of God once again. Finally, banishment was legitimized as a biblical punishment for heretics in Titus 3:10–11.[26]

Above all, George's avoidance of fiery executions can be seen as politically astute. Especially because the duke saw his battle against the Reformation as a struggle for the hearts and minds of his subjects, he wished to avoid creating martyrs for the other side's propaganda. Throughout the rest of the empire, Catholic authorities mostly avoided executions at the stake, although a few Lutheran heretics were burned in Holland under the Hapsburgs, as well as in Bavaria in 1522–23.[27] Duke George's position was supported by the Congress of Princes held in Regensburg in 1524, which decreed territorial banishment to be a standard punishment for heretics that was binding among all imperial princes.[28]

The strength of the duke's church governance was dependent on collaboration between the territorial government and local officials and authorities. This dependency became especially apparent to Duke George when cooperation failed due to local leaders harboring Lutheran sympathies. Wherever the prince suspected this to be the case, he hit hard. In 1522, Dresden's governors sent the bailiff of Meissen to Oschatz in order to investigate not only the

24 See Schwerhoff.

25 See Bishop Johann VII's memorandum to Pope Hadrian VI [Rome 1523], Postina, 340–346.

26 See Gregory, 83.

27 See Wolgast, "Territorialfürsten," 422.

28 "Therefore, anyone acting as a Lutheran or heretic who is punished and expelled from one territory [...] should be banished from each and everyone's principality, land, province, bishopric, authority and area." Regensburg Convention, Regensburg, July 6, 1524, Pfeilschifter, Vol. 1, 329–334.

Evangelical movement in the city, but also whether the municipal council and bailiff "had knowledge of this activity, kept quiet and did not report it."[29] The failure of the Oschatz councilmen to name Evangelicals immediately drew the accusation that "they must be among you on the council,"[30] a warning that had an unmistakable effect on the council's willingness to cooperate.[31]

In his actions against the Reformation, Duke George demanded obedience from local authorities who he had either not directly appointed or who were not dependent on his approval. He held the local lord Wolf von Nissmitz responsible for the Evangelical activities in Nebra on the Unstrut River. George demanded that the delinquents be punished according to the ducal religion mandate; otherwise Nissmitz would feel the duke's wrath along with them.[32] In the city of Kőlleda, where Hans von Werthern was hereditary lord, a runaway monk began preaching, and Duke George sent a bailiff to arrest him. Making reference to Werthern, the city fathers refused to cooperate and let the monk escape. This was a risky tactic since Werthern was an Albertine bailiff himself and a close confidante of the prince. Duke George reacted fiercely to this challenge to his territorial and church governance.[33] He ultimately ordered the arrest of all community leaders: the mayor, municipal councilmen, the sheriff, the city scribe and the schoolmaster to avoid the entire city being "physically and materially punished." Once the elite of Kőlleda appeared before the duke, they were turned over to Werthern for punishment.[34]

Local immunities could not prevent the prince from using his territorial powers to uphold the stability of the church. When a man was arrested in Thamsbrück for disobeying the fasting rules, the municipal councilmen complained that the bailiff from Langensalza had violated their jurisdiction. Duke George justified the arrest by his trusted friend Sittich von Berlepsch by citing exceptional circumstances that superseded the city's immunity rights. "Meanwhile, this is a very new and serious case; one that our forefathers never confronted. At the time when the privileges that you mention were given, no

29 Instructions from Dukes Johann the Younger and Friedrich the Younger to Georg von der Pforten, bailiff at Meissen, [prior to March 7, 1522], ABKG, Vol. 1, 284.

30 Letter from id. to the Oschatz municipal council, Dresden, March 7, 1522, ibid., 284 f.

31 See letter from id. to id., Dresden, March 9, 1522, ibid., 285; Letter from id. to Bishop Johann VII of Meissen, Dresden, March 18, 1522, ibid., 292 f.

32 See Duke George's letter to Wolf von Nissmitz at Nebra, Dresden, June 22, 1524, ibid., 691 f.

33 "Therefore, it is our duty to be watchful for abuses against the Christian Church and protect against such heretical initiatives while maintaining the obedience of our subjects." Duke George's letter to the municipalities at Kölleda, Sangerhausen, May 6, 1523, ibid., 502 f.

34 Ibid. See Duke George's letter to Hans von Werthern, Dresden, June 2, 1523, ibid., 514.

one could foresee or imagine such a situation with sufficient justification to require a bailiff under our authority to punish one of your people. Therefore, we cannot see that your privileges would be curtailed."[35] In this way, the battle against the Reformation suppressed local rights and reinforced the assertive power of the territorial state.

Among the panoply of cases from Thuringia, there are also those which tended toward the opposite extreme. Along with the bailiff Sittich von Berlepsch and the provost of the abbey, the city council at Langensalza also enthusiastically supported Duke George's anti-Lutheran religion politics.[36] A good example of the council's support for Catholic tradition can be observed in a case from 1528. A shoemaker from Gotha, Jost Reymann, was denied his civil rights, "because we [...] know from many accounts, that he is a firm follower of Lutheran heresy." The council gave a detailed explanation to the duke about the associations between Reymann and the Evangelicals who had fled Langensalza during the Peasants' War.[37] At the same time, the municipal council and bailiff made inquiries to Dresden concerning the acquisition of a papal dispensation in a difficult marital case, another example of carefully following traditional church doctrine.[38] Not only did the opposing positions of local authorities show the varying influences of the Evangelical movement in Albertine Saxony, they also revealed how effective Duke George was in asserting his religion politics within his territory.

There was already a precedent for the imposition of direct sanctions by the duke during pre-Reformation times. As before, George systematically ignored ecclesiastical jurisdiction when it came to prosecuting laymen. This was despite the manifest responsibility of ecclesiastical judges in cases (*ratione rerum*) which violated the rules of the church, such as disobeying the fasting rules or taking communion from the chalice.[39] Furthermore, the prince usurped the church's jurisdiction in conducting the inquisition of heretics by clearly separating *ratione personarum* between the clergy and the laity. For this, Duke George did not limit himself to the role of *Brachium saeculare*, but took

35 Duke George's letter to the Thamsbrück town council, Dresden, February 11, 1525, ibid., Vol. 2, 39.

36 See the examples in this chapter and p. 113 f. about Berlepsch. See also ABKG, passim.

37 Letter from the Langensalza municipal council to Duke George, Langensalza [January 25, 1528], loc. 7444/6, Bl. 62.

38 Letter from id. to id., Langensalza, January 25, 1528, ibid., Vol. 60 f.; Letter from id. and Sittich von Berlepsch to Chancellor Simon Pistoris, Langensalza, August 5, 1528, ibid., Vol. 63 f.

39 See ch. 9.—See also Lobeck, 66: "Apparently the bishop is only allowed to render a judgment and set the penalty when it has to do with priests."

the entire matter directly into his own hands. By exception, the duke turned over two men from Leipzig to the bishop of Merseburg to be tried for "publically contradicting the preacher at St George during his sermon."[40] In this case, George apparently found his secular court to lack jurisdiction because the evidence presented did not include external signs and symbols. This would have justified punishment under the territorial religion mandate; instead, the case had to be prosecuted because of heretical teachings.

While the duke largely controlled the prosecution of Evangelical laymen, the bishops played a partner role in the fight against heretic priests. This view is affirmed in Johann VII's report to Pope Hadrian VI, when the bishop of Meissen cites "*precipue tamen sacerdotes et presbiteri* [...] *ac omnium ordinum religiosi*," as followers of Luther.[41]

Nonetheless, ecclesiastical authorities were not completely excluded from the pursuit of Lutherans among the laity. Duke George not only wished to punish those who were drawn to Luther, he also wanted them to reconcile with the church. Due to the papal bull that *ipso facto* excommunicated heretics,[42] this would only have been possible through an ecclesiastical act of absolution. For this, the duke found the bishops to be the appropriate authorities. In the Dőbeln case, for instance, the laymen were required "to appear before the bishop of Meissen for absolution" after serving their penalties.[43] As a practical solution, Duke George chose to ignore the *Decet Romanum Pontificum* bull, which reserved the right of absolution for the pope.

The Saxon bishops, however, could not play so fast and loose with canon law. Nonetheless, in support of George's intentions, they did make a request to the pope for the power to grant absolution to heretics. On September 25, 1522, Adolf of Merseburg informed the duke that permission had been granted. He also emphasized that due to the urgency placed on the issue by the Roman consistory, the allowance had been given despite the absence of a new pope and without the usual monetary charges.[44] A few months later, within a

40 Duke George's letter to Bishop Adolf of Merseburg, Dresden, January 31, 1523, ABKG, Vol. 1, 454.

41 Bishop Johann VII's memorandum to Pope Hadrian VI [Rome 1523], Postina, 340–346, here 344.

42 In his request to share in the pope's power to grant absolution, the bishop of Meissen emphasized "*quare hi omnes ultra ius commune vigore bulle Leonis pape x. pie defuncti excommunicati sunt*." Ibid.

43 Letter from Dukes Johann the Younger and Friedrich the Younger to Chancellor Johann Kochel, Schellenberg, December 22, 1521, ABKG, Vol. 1, 231 f.

44 See the letter from Bishop Adolf of Merseburg to Duke George, Merseburg, September 25, 1522, ibid., 361.

memorandum to Hadrian VI, Johann VII of Meissen also requested the power to grant absolution. This too was approved.[45] Plainly, the bishops had been bestowing absolution even before receiving permission, for instance to the citizens of Dőbeln. In any case, within Duke George's dense correspondence there is no indication that from 1521 to 1522, re-admittance into the church had ever been denied. Indeed, there was a clear-cut division of responsibility in the fight against the Evangelical movement. The prince controlled supervision and penalties while the bishops showed the way back to the church. During that year, whether out of fear or due to faith, quite a few of Luther's lay followers in Albertine Saxony did turn away from him.

2 Sanctions and Catholic Reform

Duke George's church politics against the Reformation were by no means just a matter of sanctions. Instead, he tied sanctions to the creation of a positive image of the traditional church through admonitions, Catholic propaganda, and reform efforts. In short, he presented an attractive counter-offer to help keep doubters and the undecided tied to the old church. For example, the duke forbade his laymen from reading Luther's New Testament for their own welfare; however, he provided them with the Word of God in vernacular form through Emser's edition, which (although relying almost completely on Luther's translations) remained true to Catholic tradition. In this way, George was able to compete with the Evangelicals by commending the lessons of the German Bible "for the salvation of your souls."[46]

Duke George continually tried to express in positive terms what he expected from his subjects—how they should live with loyalty to the Catholic Church. This was shown through his financial support for the catechistic writings of Petrus Sylvius, who bypassed anti-Reformation polemic in order to communicate the proper traditional teachings of the church to the laity.[47] Administratively, the Easter mandate of 1522 was an early attempt to combine prosecutions of Evangelicals with support for traditional faith. Albrecht Lobeck sums it up well, as "… a sort of pastoral letter, but completely without input from the clergy."[48] Because Evangelicals were "leading some pious Christian

45 See Postina, 339 f.; Lobeck, 69 f.; Machatschek, 676.

46 Duke George's foreword to Hieronymus Emser's edition of the New Testament, Dresden, August 1, 1527, ABKG, Vol. 2, 775–780. See also p. 581–583.

47 See ibid.

48 Lobeck, 66.

hearts [...] to have doubts" shortly before Easter, George ordered all secular officials to keep an eye out that "traditional Christian customs" were executed properly. He was referring specifically to Easter communion, which was usually the only communion for laymen in the year. No one was to celebrate this in the Evangelical style, without confession or under two kinds. However, it was only a short step from giving a warning to actual surveillance, since officials were required to immediately arrest anyone in violation.[49] George had a very princely view of the laity; he demanded that his subjects be loyal and obedient.

The following year, another strategy was tried by means of a papal supplication. Because of the strength of the "Lutheran fallacy," Duke George feared "that many different violations of fasting rules were to be expected in the future." He therefore requested from Hadrian VI a general dispensation from fasting for all of his subjects. While possibly seen as giving in to the Evangelical movement or as an admission of failure, a closer look reveals this to be a countermeasure consistent with the duke's overall strategy. It actually turned out not to be a general dispensation since interested parties were required to apply individually to the local bishop.[50] Using dispensation to save the souls of misled subjects was also linked to a didactic opportunity. By stressing the bishops' authority, the church's authority could also be strengthened. Furthermore, a flexible solution to the fasting problem would enhance the attractiveness of the Catholic side in the struggle for the hearts and minds of the laity. Once again, however, George's hopes for support from Rome came to nothing.

Ultimately, the connection between traditional church reform and anti-Lutheran prosecutions came together especially well in a somewhat overlooked mandate of Duke George's that was specifically directed at the rural population. Frank Aurich first called attention to this undated printed memorandum while conducting a typographical analysis of the Emser Press. The date he assigned was 1524.[51] Written in the style of a land law, it set down both positive and negative religious laws, beginning with a pledge from George. "As a Christian prince" he wished to ensure "that the Holy Gospel and the Word of God should be preached to the people." Every layman should be able to hear it in his or her parish church. It was to follow "the interpretation of scholars according to Holy Christian Church," and inns and spinning rooms were not to be confused with legitimate places for preaching. Additionally, the prince

49 Duke George's printed memorandum, Dresden [April 9] 1522, ABKG, Vol. 1, 302 f.

50 See Duke George's letter to Bishop Johann VII in Rome, Dresden, January 4, 1523, ibid., 421–425.

51 See Aurich, 62 f.—Many printed notices were dated by hand after printing.

stressed the validity of traditional religious practices, demanding that they be retained without alteration.[52]

The second part of the mandate contained the well-known Evangelical profile and dealt with established themes of laity reform, such as blasphemy. This was an effort to include all subjects in the fight against heresy and sacrilege since not only the duke's local officials, but every village community was expected to support Duke George's religion politics. The people were now held responsible for identifying Lutherans and turning them in to the duke's officials: "Those in violation shall be turned over for punishment by the community in villages under our jurisdiction—otherwise they will meet with our severe displeasure."

To enhance surveillance, communities were expected to conduct night watches, since Evangelical activists often operated under cover of darkness. This recalls reports of broken windows in clergy houses and nighttime defiling of posted mandates from the duke. Written shortly before the Peasants' War, the mandate warns about possible uprisings against authority, "which on pain of material and physical punishment" were to be reported to the prince. The intention to inform on every single subject and make them responsible is expressed well by the instructions for reaching the public: "In order for each person to be kept and held informed," the stipulations of the mandate, "should be brought to the attention in all villages every four weeks by a bailiff or official; to be made known and read out."[53]

As a complement to prosecutions of heretics, this laity-oriented program of strong assertions by the traditional church formed the positive side of Duke George's counteroffensive. Some of the other important measures which fit into this context included the support of Catholic pamphlets, and the extravagantly designed and aggressive campaign for Benno of Meissen's canonization in 1524. Likewise, there was support for traditional preaching and episcopal visitations.[54]

From the duke's point of view, the close connection between prosecution and reform was not so much a tactic as a factual necessity. He saw an internal link between the moral decline of the laity and their susceptibility to the teachings of the Reformation.

In 1522, Duke George had Jobst Weissbrot, a resident of Dresden, arrested for writing insulting letters to the clergy, and also for adultery. When interrogated,

52 Duke George's printed memorandum [1524], loc. 10300/2, fol. 25v–26r (2nd example ibid., fol. 27r, 24v). About the context, see the articles in Rau/Schwerhoff.

53 Ibid.

54 See ch. 15–25, passim, and see Volkmar, *Heiligenerhebung Bennos*, 101–120.

Weissbrot actually admitted to adultery and consorting with concubines. The truth of the matter was thrown into doubt, however, by a letter of support from his wife and neighbors expressing loyalty to him.[55] Active in the arrest and conviction of Weissbrot, George used public punishment at Dresden's marketplace to demonstrate his princely engagement on behalf of reforming the laity. The duke's herald justified Weissbrot's sentencing not just because of the derogatory letters, but also because the delinquent was "a known adulterer and frequenter of concubines." To reinforce this statement, another adulterer, the lyre maker Hans Krauss, was publicly ridiculed. Finally, Lorenz, a court official, announced Duke George's mandate against adultery,[56] which he intended to punish "with the full force of the law."[57]

It was along these lines that George responded in April of 1524 to a well-known petition by 105 people from Leipzig for the hire of Andreas Bodenschatz, an Evangelical priest.[58] Although addressed to the Leipzig city council, the letter was actually directed to the entire population of the city and clearly revealed Duke George's attitude regarding the laity. As one might expect, the petition had no chance with the duke. George flatly rebuked the citizens of Leipzig as incapable of judging the quality of a preacher, pointing to their repeated efforts on behalf of Lutheran candidates. He then abruptly linked anti-Reformation measures with an admonition to the laity to reform. Merchants were to avoid usurers and "evil moneychangers." Craftsmen were to do an honest day's work and not cheat their neighbors. Then, with words from the Ten Commandments, Duke George followed up with a moral warning that "one should not covet or misuse thy neighbor's wife and child."[59]

These examples show how George associated the struggle against the Evangelical movement with reform of the laity while ignoring external developments. Duke George identified the Evangelical movement with chaos and disorder and saw supporting it as a sign of moral decay.[60] From his point of view, both phenomena—the Evangelical movement and immorality within the laity—sprouted from the same roots. They were intertwined as devilish

55 Letter from Gertrud Weissbrot and her neighbors in Dresden's Seegasse to Duke George, Dresden, March 14, 1522, ABKG, Vol. 1, 332, n. 2.

56 For more about this, see ch. 12, section 4.

57 Record of Jobst Weissbrot's punishment at Dresden's marketplace on July 14, 1522, ABKG, Vol. 1, 331–333.

58 For more about this see also p. 551 f.

59 Duke George's letter to the Leipzig city council, Dresden, April 12, 1524, ABKG, Vol. 1, 648–650.

60 See ch. 16, section 3.

attempts to create anarchy. Paradigmatically, this linkage was personified by Jobst Weissbrot. Here, it was possible to combine measures against both kinds of abuses in the battle to maintain Christian order—the prince's primary duty. George's attitude is confirmed by his accusations against the petitioners from Leipzig; that they requested an Evangelical preacher because they disliked the Catholic preacher's call for reform of the laity, turning instead to disorder and laxity.[61]

Consequently, Duke George's awareness of the Evangelical movement's dangers was crucial to strengthening his efforts toward laity reform. This is evident not just from the adultery mandate, but also by a printed announcement of March 30, 1523. Written in the style of a pre-Reformation land law, it addressed the classic issues of laity reform—blasphemy, gambling, drinking debts and begging—with not even a mention of the Evangelical movement.[62]

In the early 1520s, the duke took further action concerning several areas of laity reform without an obvious Evangelical impetus. This included three cases in 1523: a blasphemy trial in Pirna;[63] an offense against traditional ritual in Grossenhain (taking communion under one kind, but without prior confession)[64]; and a bigamy case near Chemnitz.[65] All the same, an unsettling resonance resulted from the emergence of the Evangelical movement. In the case of the farmers taking improper communion in Grossenhain, Duke George called for an opinion from the law faculty at the University of Leipzig. Based on their findings, the prince found it appropriate to pass judgment himself while attending the Regency Council in Nuremberg. While the legal scholars in Leipzig deferred to the jurisdiction of the ecclesiastical court and canonical penalties, they recommended that "due to the present times and currents, where possible, the punishment should be even more severe."[66]

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61 "And those who have the duty to choose preachers for the laity, will provide them with Christian preachers and not with Lutherans. But they (i. e. the laity) should follow their teachings and not do as before, when the preacher at the Franciscan church spoke of usury, and the people stood up and left the church, since they didn't want to hear it," Duke George's letter to the Leipzig city council, 1524, (like n. 59).

62 About both mandates, see the table on p. 410.

63 See Duke George's instructions for the governors due to his departure to the Regency Council at Nuremberg [late June 1523], ABKG, Vol. 1, 533–537. From the retrieved legal evaluation by Leipzig's law chair (see ibid., n. 1), above all, that the alleged blasphemy by Hans Wolf from Pirna against Jesus Christ was not directly related to Evangelical issues.

64 See ibid., 535 with n. 2.

65 See Duke George's letter to the official at Chemnitz, Dresden, June 22, 1523, ibid., 519 f.

66 Letter to Duke George from the doctors and head of the University of Leipzig's law faculty, Leipzig, June 21, 1523, ibid., 535, n. 2.

Albertine authority saw the fight against the Evangelical movement and traditional reform of the laity as two sides of the same coin. Measures taken against the spread of "Lutheran poison"[67] were intended to keep the laity from falling further into moral decline, while at the same time efforts toward reform of the laity would improve its morality. The two-track approach of suppressing the Reformation and pushing for traditional reforms was not a coincidence in Duke George's church politics; it was a deliberate program.

67 "Lotterische gyft," ibid.

CHAPTER 22

Preaching

> As a Christian prince, we wish first and foremost that the Holy Gospel and Word of God be preached to the people as interpreted by scholars of the Holy Christian Church. And this should not be conflated with contradictions to the rules of the Holy Christian Church. Everyone should hear this in his parish church, where it belongs, and not at an inn or in a spinning room as is often the case.[1]

One of the most important aspects of Duke George's anti-Lutheran church politics was to take rigorous action against Lutheran preaching within his territory. Similar to the prohibition of Evangelical printing, this targeted the spread of heresy through the mass media of the times. In both instances, aggressive Catholic propaganda was used as a counterbalance to sanctions. Assertive pamphlets and traditional religious preaching were intended to inoculate the subjects' hearts and minds against "Lutheran poison"[2] and keep them faithful to the church.

1 George's Fight against Protestant Preaching: Leipzig as an Example

A case from Leipzig indicates how closely secular authority, ecclesiastical hierarchy and devoutly Catholic laymen worked together to hinder Lutheran preaching; three Evangelical preachers who arrived in Leipzig were quickly run off. Despite an early show of sympathy for Luther by the city's residents and some spontaneous actions against his adversaries, Eck and Emser, it wasn't until the summer of 1522 that we hear of an Evangelical preacher in this major

1 Duke George's printed memorandum [1524], loc. 10300/2, Vol. 25v–26r.

2 This is a metaphor that George often used. See e.g. Duke George's letter to the Leipzig city council, Dresden, April 12, 1524, ABKG, Vol. 1, 648–650.

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city and university town,[3] when sermons held by Master Stephan Schőnbach at St John's Church in the suburbs aroused interest; all the same, they were formulated carefully enough to pass the scrutiny of the Bishop of Merseburg's theologian—twice.[4]

However, the strong Catholic faction in the city was dissatisfied and complained to Duke George. He pressured the bishop to take action and advised the city council to keep Schőnbach's supporters under observation. At the same time, he also wished to maintain a sense of proportion, warning church officials that even while being vigilant against heresy, no one was allowed to "make false accusations."[5] A few months later, the bishop managed to quietly solve the problem; Schőnbach left the city and went to Joachimsthal in Bohemia.[6]

For the next six months, Leipzig's Evangelical movement was without religious leadership. Then, while attending the Michaelis Market in the city, Sebastian Frőschel, a preacher from Wittenberg and former student at Leipzig, decided to stay. He accepted an offer from the masters at St George's hospital, two Evangelical laymen who were contracted to serve as administrators and who were also authorized to fill the preaching position at the hospital chapel.[7] Effectively, they were also the social leaders of the Evangelical faction: the wool

3 About the history of the early Reformation in Leipzig, see Bornkamm, "Reformation in Leipzig"; Hoyer/Schwarz; Wustmann, *Geschichte*, vol. 1, 361–415; Volkmar, "Sodom." For a summary of sources, see Thieme, "Dokumente."

4 See the letter from the Leipzig city council to Duke George, Leipzig, October 13, 1522, Thieme, "Dokumente," 122.

5 Duke George's letters to the Leipzig city council and Bishop Adolf of Merseburg, Dresden, September 19, 1522, ABKG, Vol. 1, 359 f.

6 See Wustmann, *Geschichte*, Vol. 1, 392 f. Unfortunately, it is not possible to retrace the details of Adolf's suggested solution, for which he sought Duke George's approval. It is likely that Schőnbach was advised to resign his preaching benefice (at St George's hospital?). See Duke George's letter to Bishop Adolf of Merseburg, Dresden, January 17, 1523, ABKG, Vol. 1, 436–438.

7 Carly Seyfarth's extensive description of St George's hospital counts six altar benefices (some of which were integrated into the University system) but mentions nothing about a preaching position. See Seyfarth, Vol. 1, 26–40. Furthermore, the register in the new edition of the Leipzig council books (up to 1500) contains no references to a preaching position at either St John's or St George's hospitals. See Steinführer, *Leipziger Ratsbücher*. Nonetheless, according to the quoted evidence in n. 9, there is no question that it existed in 1523. Perhaps the preaching position was established shortly after 1512 when the theology professor Hieronymus Dungersheim proposed a corresponding endowment plan to the council. The proposal itself failed due to the patronage question (the city council or the chapter of St Thomas). See Wustmann, *Geschichte*, Vol 1. 414.

merchant Andreas Drembeck, who owned several properties and resided on Hain Street; and Martin Leubel, a merchant who was considered the second wealthiest man in Leipzig.[8]

These "church fathers at St George's"[9] may have already had a hand in matters when Schőnbach was preaching his sermons at St John's Church. This was likely the case since Schőnbach had been hired to preach at St George's hospital while still responsible to St John's Church.[10] Further evidence is the fact that Duke George exercised his territorial authority in March of 1523 to withdraw presentation rights for the preaching position from the two hospital masters. In this unusual step, George transferred the right of presentation at St George's to the bishop of Merseburg. The reason given by George was that the church fathers had hired a Lutheran, which from available information could only have been Schőnbach.[11]

Leubel and Drembeck apparently paid little attention to the removal of their presentation rights. Frőschel began preaching in suburban churches at their request—in the St George hospital on the Sunday after the Michaelis Market and at St John's on the following Sunday. However, ten days later on October 21, 1523, the ecclesiastical authorities clamped down. The provost of the St Thomas cathedral chapter, the highest-ranking pastor in the city, closed St John's Church. Frőschel had to send people home that had come to hear him preach, and city councilmen rushed in to prevent any further disturbances.[12]

The prosecution began in earnest. The provost entered charges against Frőschel with the bishop, who in turn requested that Duke George take action.[13] The duke came to Leipzig in person and had Frőschel arrested. Although already interrogated by the bishop, he faced further questioning at Pleissenburg Castle. Frőschel's defense before the duke and the bishop was presented in

8 See Hoyer/Schwarz, 111; Seyfarth, Vol. 1, 43 f.

9 Duke George's letter to Bishop Adolf of Merseburg, Dresden, January 17, 1523, ABKG, Vol. 1, 436–438.

10 There is no evidence that the preacher at St George's was obligated to give sermons at St John's. However, Frőschel's alternating sermons in both churches would indicate that such a connection existed. Both hospitals were under city council administration.—For further discussion see Volkmar, "Sodom."

11 See Duke George's letter to Martin Leubel and Andreas Drembeck, Dresden, March 14, 1523, ibid., 481 f.

12 About these activities, see the letter from Dr. Ulrich Pfister, St Thomas provost at Leipzig, to Bishop Adolf of Merseburg, Leipzig, October 23, 1523, ibid., 557 f.; Duke George's letter to the city council and community of Leipzig, Leipzig, February 13, 1524, ibid., 607 f.

13 See Bishop Adolf of Merseburg's letter to Duke George, Merseburg, October 24, 1523, ibid., 558 f.

a dramatic, autobiographically colored memoir, *From the Kingdom of Jesus Christ*. It is difficult to assess how much we can trust this account, written decades later and intended to edify a Protestant audience. It is a certainty, however, that Duke George immediately expelled the Wittenberg preacher from the territory, allegedly referring to Frőschel's secular attire as proof that he had abandoned the church.[14]

The aggressive support for Frőschel from the Evangelical movement did not pay off. Instead, Duke George hardened his position and redoubled his demands that the Leipzig city council remain especially vigilant. There were hints that non-public prayer groups were forming ("conventikula"), which can be understood as retreats into the safety of private houses.[15] Two months later, the Evangelicals tried once more to achieve their goals by acting as obedient subjects. 105 citizens and inhabitants (including Leubel and Drembeck) signed a petition for the Leipzig city council shortly after Easter in 1524 that requested that Andreas Bodenschatz be hired as preacher in a parish church. Bodenschatz, who held a master's degree from Leipzig University, had been preaching for the entire winter of 1523–24 at the suburban St George's monastery without drawing attention. Now, he was apparently unemployed. The petitioners made a rather modest appeal for a preacher "who would preach God's word loudly and clearly" and made reference to support for such preaching by the emperor and duke. However, they also claimed that Wittenberg was where the true lessons of the Gospel were taught.[16]

Duke George very quickly became familiar with the supplication, even before the city council passed it along to him on April 9.[17] Unsolicited, the Leipzig professor and ducal advisor Georg von Breitenbach had already sent the prince an insightful report on the matter on April 7. Breitenbach informed Dresden that during his visit to the St George monastery church, Bodenschatz had "not mentioned a single word of the true Gospel, but rather "referred almost entirely to Martinus's treatise on the worship of saints. […] Therefore, I avoided

14 See Wustmann, *Geschichte*, Vol. 1, 394–396, with an extensive evaluation of the description of Frőschel. About Fröschel's work and his portrayal of the Leipzig disputation, see p. 460. There is documentation for George's attendance at Leipzig from 5–11 November. See ABKG, Vol. 1, 559–566.

15 Duke George's letter to the city council and community at Leipzig, February 13, 1524, ibid. 607 f.

16 Petition from 105 citizens and residents of Leipzig to the Leipzig city council, Leipzig, April 2, 1524, ibid., 628–633. For a social analysis of the petitioners, see Hoyer/Schwarz, 109–114.

17 See the decision of the Leipzig city council, Leipzig, April 9, 1524, Thieme, "Dokumente," 128.

his preaching from this point on." The people, however, were stirred up by his "quite subtle poison," and the Evangelicals were already trying to secure the preaching position for Bodenschatz at St Nicholas Church, one of the major parishes in the city, "and in particular, some are carrying a list around to collect votes for him." Breitenbach encouraged the duke to take quick action and proposed a strategic line of argument for rejecting the petition: the Catholic preachers in the city, especially the Dominicans, preached "nothing other than St Paul" and therefore, the petitioners "are not seeking faithful interpreters of Scripture, but rather those who apply and preach novelties."[18]

Duke George did in fact reject the petition outright and used the opportunity to attack the Evangelicals. The same people lobbying for Bodenschatz had also supported Stephan Schőnbach and Sebastian Frőschel, thereby proving that they didn't have "the good sense [...] to choose virtuous preachers." Instead of making poor judgments, they were to heed the admonitions of the four preachers in the city who preached the Gospel according to the traditional teachings of the church. Since George considered both aspects to be inseparable, an appeal for church reform was added directly to this defense. Craftsmen and merchants were to reform their own lifestyles instead of supporting the Reformation, which they secretly hoped might allow them laxness and immorality.[19] The call for reform, however, was not just directed at the laity; on the same day, the Dresden chancellery issued a letter to the bishop of Merseburg in which George sharply criticized how the ecclesiastical jurisdiction handled priests who dallied with prostitutes in Leipzig.[20]

Therefore, in the early days of the Reformation in Leipzig, the story of Evangelical preaching came to an end before it had even reached the main churches of the city. On April 24, 1524, as the church fathers at the St George hospital allowed Bodenschatz to preach in their chapel one last time, they had to personally answer for it before Breitenbach and the bishop of Merseburg. Drembeck was banished from Leipzig, and Leubel had to give up his position as hospital master, although an intervention by the city council spared him from further punishment.[21] As this case shows, the Evangelicals in Leipzig did

18 Dr. Georg von Breitenbach's letter to Duke George, Leipzig, April 7, 1524, ABKG, Vol. 1, 638–640.

19 Duke George's letter to the Leipzig city council, Dresden, April 12, 1524, ibid., 648–650.

20 Duke George's letter to Bishop Adolf of Merseburg, Dresden, April 12, 1524, ABKG, Vol. 1, 650 f.

21 See Dr. Georg von Breitenbach's letter to Duke George, Leipzig, April 28, 1524, ibid., 660 f.; Seyfarth, Vol. 1, 44. Breitenbach refers to "St. Georgen kirchen" (St George's Church). By this, he meant the chapel at St George's hospital, not the church of St George's monastery.

not stand a chance against the concerted efforts of secular and ecclesiastical authorities who received information and counsel from local Catholics.

The banning of Lutheran preaching did not destroy the Evangelical movement, but it did break its momentum. Without public awareness of their cause, the handful of Evangelicals could not expand. While the 105 signatories represented hundreds more, they were still in a clear minority among the 8,000 residents of the city, a fact that Duke George was careful to emphasize.[22] Additionally, the duke took severe measures against any citizen of Leipzig who violated traditional rituals and revealed their sympathies for the new teachings.[23] Imprisonment and expulsion set a high bar for courageous individuals to confess their loyalties. On the other hand, Leipzig's most prominent Lutheran, the professor of medicine Heinrich Stromer (from Auerbach), remained untouched. This was probably because he carefully avoided any public display of his affiliation.[24] Soon, the Evangelicals in Leipzig had to give up all hope that the city as a community would accept the Reformation on its own accord. The desperate attempt at a public revolution by a few dozen

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The latter he refers to as Bodenschatz's earlier preaching location "in the nun's convent." Further evidence is given by the fact that Leubel and Drembach, who arranged for Bodenschatz to preach, only had access to the hospital chapel.—Drembeck became the Ernestine bailiff in Gotha in 1532 and did not return to Leipzig until 1539. See ibid.

22 In his rejection of the petition on behalf of Bodenschatz, the duke argued, "We find it unfitting that such a large congregation as that which God has gathered in Leipzig, and who are otherwise quite satisfied with their appointed preachers, should not be taken into account, and this all due to the aberrant position of just one hundred four among them." (Duke George's letter to the Leipzig city council, Dresden, April 12, 1524, ABKG, Vol. 1, 648–650).—At best, the number of Luther's followers among the Leipzig population can only be approximately determined. The 105 known signatories to the petition of 1524 were heads of households, thus speaking for several hundred other people. In surviving copies of the petition, there were an unknown number of additional signers who were not included because of their low social status. In their case, one should not assume the representation of households. In 1525, Michael Rumpfer estimated that there were 300 people who sympathized with his conspiracy. There were presumably similar numbers in the 1530s, when 70–80 Evangelicals and their families were expelled. See Volkmar, "Sodom"; Hoyer/Schwarz, 110–112; Wartenberg, *Landesherrschaft*, 33–37; about the number of Leipzig residents, see Steinführer, *Leipziger Ratsbücher*, Vol. 1, XVII.

23 See ch. 21.

24 Stromer, who held a high position as Duke George's personal physician, remained unscathed, although the bishop of Merseburg had pointed out that he was spreading Evangelical propaganda in Leipzig by secretly distributing Lutheran pamphlets. See the visitation report by Bishop Adolf of Merseburg to Duke George, Merseburg, May 13, 1524, ABKG, Vol. 1, 664–671; Wustmann, *Wirt*; Clemen, "Stromer."

craftsmen—and without support from influential merchants—ended catastrophically in 1525. The leader of the Rumpfer conspiracy was executed for insurrection.[25]

It seems as though some of the earlier spokespeople for the Evangelicals made their peace with the traditional church. When Martin Leubel died in 1533, his will called for donating a thirty florin altar benefice at St Thomas's Church. The prebend owner was obliged to read four masses every week for Leubel's salvation.[26] For a number of years, the remaining Lutherans in Leipzig went into inner exile, keeping a low public profile and existing as a religious minority. Only when conditions changed in the 1530s did they find renewed strength.

2 Counter-Offensive with the Word of God: The Promotion of Catholic Preaching

Even before the Reformation, the support of preaching was an essential demand of church reform. From the duke's perspective, it seemed to be a financial and organizational task to be dealt with through the creation of new preaching positions and the re-designation of existing altar prebends.[27] The Reformation, however, brought completely new challenges. The new teachings were being preached to the people everywhere by runaway monks, masters, and schoolmasters. Even laymen at inns and on the street tried their hand at imparting Luther's vision as members of the "priesthood of all believers." By comparison, capable preachers in the traditional church remained a rarity. Along with the mendicant friars, it was especially those who had preaching positions in cathedrals and city churches who were seen as the front line against the Reformation (as long as they themselves did not become Lutherans).The majority of priests, however, did not count preaching as part of their duties.[28]

Catholic priests who did take up the challenge to defend the old church from the pulpit, faced problems similar to those encountered by the authors

25 See Hoyer/Schwarz, 114–116; Steinmetz/Czok, *Leipziger Land*.

26 See Bishop Sigismund of Merseburg's verification of the mass endowment from Martin Leubel, October 29, 1535, Domstiftsarchiv Merseburg, cod. 174, fol. 172v–174v; about the endowment, see Kroker, 73–80.—Further, in 1520, apparently before his decision to follow Luther, Leubel donated two painted panels depicting St Andrew to the St Michael Church at Jena. See Bünz, "St. Michael in Jena," 127 f.

27 See p. 307 f.

28 See Neidiger, "Wortgottesdienst"; Signori, 18–35; Menzel, 368–384; Thayer; for a Central German example, see Bünz, "St. Michael in Jena," 128 f.

of Catholic pamphlets. When it came to content, spiritual flexibility and theological expertise were required. Traditional parish sermons consisting of legends and lessons were ineffective arguments against the Reformation. In daily life, they had to expect confrontations with angry Evangelical laymen. At least in this regard, they could hope for active support from the duke. In 1522, an investigation was conducted in Oschatz against twenty residents who reviled and threatened the local preacher "because he preached against Martin Luther's un-Christian teachings."[29] At the same time, the prince encouraged the clergy not to relinquish public space to the Evangelicals. After a ritualistic defiling of the church in Senftenberg, George admonished the parish priest for not having preached against the perpetrators.[30]

The success of the duke's support for traditional preaching increasingly became a question of the right personnel. Not only did the progress of the Reformation make it more difficult to find new young Catholic preachers, but Duke George also witnessed some of his preaching recruits going over to the other side. For instance, as court chaplain and court preacher, Christoph Ering had enjoyed the special trust of the prince for many years. In 1525–26 George even sent the preacher to the Evangelical stronghold of Annaberg to shore up the Catholic presence. Soon, however, Ering angered the prince with his increasing sympathies for the Reformation and for recommending Andreas Bodenschatz (recently expelled from Leipzig) for a position in Freiberg. In the end, Duke George dismissed Ering from his preaching position and removed all of his prebends, because he wished to promote "the damned Lutheran sect under the pretense of preaching the Word of God."[31]

Despite disappointments, George tried everything in his power to support traditional preaching. As before, he undertook the establishment and furnishing of preaching positions such as those in Annaberg (1521), Sagan (1523), and Leipzig (1526).[32] The preaching endowment of the wealthy widow Apollonia von Wiedebach for Leipzig's two main churches is often seen as a disguised attempt to support the Reformation.[33] Contradicting this view, however, are the

29 Instructions from Dukes Johann the Younger and Friedrich the Younger for Georg von der Pforten [prior to March 7, 1522], ABKG, Vol. 1, 284.

30 See Duke George's letter to the priest and municipal council at Senftenberg, Dresden, February 3, 1523, ibid., 456. With Duke George's support in 1519, the priest established a preaching position. See Duke George's document, Dresden, January 27, 1519, ibid., 65 f.

31 Duke George's letter to Master Christoph Ering, Schellenberg, September 8, 1529, ABKG, ms. Werl, no. 1898.—About Ering's background, see p. 295–297.

32 About Annaberg, see p. 378 f.; about Sagan see p. 308 with n. 136.

33 See e.g. Wustmann, *Geschichte*, Vol. 1, 411–415.

many traditional stipulations that were part of her bequest, and the fact that she made Duke George executor of her will.[34]

Indeed, without the duke's intervention, the preaching position might never have been founded. While the widow was still alive, a controversy erupted between the Leipzig city council, to which she awarded patronage, and the canons of St Thomas's, who felt their pastoral monopoly in Leipzig was being threatened. It was only after Duke George personally weighed in that the provost agreed to a compromise. A document of the duke's from April 17, 1526 spelled out the agreement and cleared the way for establishing the preaching position.[35] George tried to deal with the Catholic personnel problem by making the bishop (and himself) the final authority over appointments, as was done in the above-mentioned case of the preacher at St George's hospital.

Competent Catholic preachers were key figures in the struggle against the Reformation. It was for this reason that Duke George took a personal interest in such appointments. In 1523, when a Lutheran preacher in Annaberg was arrested, George recommended that the municipal council try to win the cathedral preacher at Altenburg for the position because he had "been praised for his lifestyle and teachings, which is rare in these tenuous currents."[36]

As we have seen, the duke sent his own court preacher to Annaberg two years later. George also sponsored Johannes Koss, a preacher from Römhild who had fled to Leipzig during the Peasants' War.[37] He soon became well-known for his powerful sermons at the St Nicholas Church, which were later published.[38] He was neither intimidated by Evangelical threats nor was he afraid to confront the Leipzig city council with social issues in his sermons.[39]

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34 About the endowment, see p. 362 f.

35 The compromise gave veto power to the provost at St. Thomas's against the council's proposal and the subjugation of the preacher to supervision by the parish priest. If the provost and council were unable to reach an agreement, the Bishop of Merseburg and the duke would make a joint decision about the appointment. See Duke George's document, Leipzig, April 17, 1526, CDS, II, Vol. 9, 402 f.—The negotiations were documented in the records of St Thomas's treasurer, see ibid., 398–402.

36 Duke George's letter to the municipal council at Annaberg, Dresden, June 26, 1523, ABKG, Vol. 1, 520. See also ibid., n. 2.

37 About Koss, see Clemen, "Pfarrprediger Koß"; Freudenberger, 346 f.; Smolinsky, *Alveldt und Emser*, 339 f.

38 See Clemen, "Pfarrprediger Koß," 177–183.

39 In 1526, the Leipzig city council punished several citizens "who spoke and acted against the preacher at St Nicholas's Church." Leipzig council decision, September 2, 1526, ABKG, Vol. 2, 617 f.; About Koss's sermon against the "large guilds," in which he criticized unfair taxation, and the exodus of Leipzig's upper class during the plague, see the Leipzig city

Duke George personally fostered Koss's career and helped him surmount official hurdles. In 1527, the theological faculty refused him a doctorate and license to teach for not having conducted the required lectures. The duke cited his merits as a preacher "whose sermons deem us to be equivalent to what others achieve at university, being indeed worthy of a doctorate." The faculty tried to stick to its rules, but finally capitulated.[40] George was once more active in 1529 when there was a rumor of Koss moving to Bamberg. He promised the preacher a better prebend and sent no less than Georg von Breitenbach to Bamberg to convince the cathedral chapter to release Koss from his commitment.[41] Incidentally, the preacher's friends included Hieronymus Walter, the Welser factory manager and a stalwart among Leipzig's Catholics. By Duke George's order, it was Walter who managed Koss's estate when he died of a stroke in the pulpit of St Nicholas's Church in early 1533.[42]

Sometimes, the duke even attempted to conduct a "counter-Reformation" through Catholic preachers. This was his intention when a Lutheran Franciscan preacher was arrested in Sagan, and he promised the city, "to find for them a good, learned, Christian preacher [...] so that you all will be presented with the true Scripture and the proper way to salvation."[43]

When the Peasants' War insurrection was put down, a most ambitious effort was made to re-Catholicize the imperial city of Műhlhausen in Western Thuringia. Duke George cleverly used the moment of victory to create a fait accompli for the Catholic cause, although he had fought the war alongside his Evangelical cousins. Not five days after Thomas Műntzer was executed, he sent two of his best theologians, the Leipzig professor Hieronymus Dungersheim and the court preacher Alexius Chrosner[44] to the city. They were to "reinstate religious services according to rules of the Holy Christian Church" in both of the main churches and steer pastoral care back to its traditional path. The duke did not even designate formal positions for his missionaries, but only

council's letter to Duke George, Leipzig, March 21, 1530, ABKG, ms. Werl, no. 2001; Duke Friedrich the Younger's letter to Johannes Koss, [Dresden], September 21, 1530, ibid., no. 2046.

40 Letters from Duke George to the dean and doctors of theology at the University of Leipzig, Dresden, December 2 and 15, 1527, ABKG, Vol. 2, 836 f., 840 f.

41 Dr. Georg von Breitenbach's letter to Duke George, Leipzig May 6, 1529, ABKG, ms. Werl, no. 1830.

42 See Clemen, "Pfarrprediger Koß," 178–190.

43 Duke George's letter to Seifried von Nechern, bailiff at Sagan, and to the Sagan municipal council, Dresden, December 17, 1525, ABKG, Vol. 2, 455 f.

44 See Freudenberger, 394. According to another source, the second preacher along with Dungersheim was Master Dietrich Pusch. See ABKG, Vol. 2, 267, n. 2.

demanded that they be properly cared for in Műhlhausen and be protected from possible attacks. This was to continue until the municipal council had reestablished traditional spirituality in the city to Duke George's satisfaction.[45] George's influence in Műhlhausen was based on traditional Wettin patronage that alternated yearly between Albertines and Ernestines. For this reason, in 1525 he even worked together with the local bishop, Cardinal Albrecht, for an imperial mandate that would secure the counter-Reformation in the city.[46] Luther was so incensed by Duke George's Catholic offensive in Műhlhausen that he printed pamphlets absurdly accusing Dungersheim of resorting to re-baptisms.[47]

On the other hand, observing Dungersheim reveals just how highly the duke valued traditional preaching. In 1536, as the long-serving theologian made an exceptional request to be buried in the sacristy of St Nicholas's Church, he made reference to his record of service. However, he considered neither his decades as a professor and dean of the theology faculty, nor his position as advisor to the prince worth mentioning. It was only his success as a preacher against the Lutherans in Leipzig and Műhlhausen that he thought might earn Duke George's approval.[48]

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45 Duke George's letter to the Mühlhausen city council, Langensalza, June 2, 1525, ibid., 267 f.

46 See instructions from Duke George to Dr. Georg von Breitenbach about a request to Cardinal Albrecht, Dresden, November 20, 1525, ibid., 428 f.; Cardinal Albrecht's letter to Emperor Karl V, Halle, December 12, 1525, ibid., 451–453.

47 See Freudenberger, 394–397.

48 See Hieronymus Dungersheim's letter to Duke George, Leipzig, June 20, 1536, ABKG, ms. Werl, no. 3429.—About the context, Duke George's burial order of 1536 and the resulting controversy, see Koslofsky, 54–77.

CHAPTER 23

Printing

I am poor Arnoldy, the village priest at Collen on the Elbe River [...].[1]

1 The Birth of Catholic Propaganda in Saxony

1.1 *The Catholic Voice in the Early Reformation*

The Reformation would not have been possible without book printing. Bernd Moeller's famous appraisal of the printed word as *Conditio sine qua non* for the Reformation comes right to the point. The raw numbers alone show a historic transition starting in 1518 that accelerated at breathtaking speed. It had less to do with the structure than the dimension of this new media phenomenon, labeled the "Reformation public," which was created all at once by a flood of pamphlets distributed throughout the empire.[2]

In 1517, the year of their original publication, Luther's ninety-five theses were printed three times. Two years later, the new ideas from Wittenberg had already spread through 250 editions with an estimated 250,000 copies. Every year, production expanded exponentially until a high point in public awareness was reached in 1526, when the empire was inundated by roughly 11,000 titles, printed (mostly) in German, and totaling an estimated 11 million copies. This averaged out to twenty pamphlets for every German who was able to read, while further illiterate owners can be assumed. The message of all these books was no less revolutionary than the medium. There had never been a call for public discussion like this, and it affected the lives of individuals and society alike. Until this time, discussion of such issues had always taken place within

1 Incipit of a pamphlet by Duke George, written under the pseudonym of a priest. See the handwritten draft of the pamphlet by Duke George, "Wider des Luthers Warnung an die Deutschen" [1531], loc. 10300/2, fol. 13–23, hier fol. 13r. The pamphlet was published in two editionsas: Franziskus Arnoldi, *Wider des Luthers Warnung an die Deutschen*, Dresden: Wolfgang Stöckel, 1531 (VD 16 ZV 6512)/Leipzig: Melchior Lotter, 1531 (VD 16 G 1340). See also Becker, 251–263.

2 See ch. 13.

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the realm of the most powerful institution in Europe—the church. Now, millions of pamphlets were expressing fundamental criticism of the church and communicating Luther's new doctrines.[3]

At first, the wave of Evangelical pamphlets that swept from the printing presses throughout the empire went unanswered by dissenting voices. Especially in the early years, the anti-Reformation portion of overall pamphlet production was fairly insignificant. Although capable publicists such as the theologian Dr. Johannes Eck, and the humanist, theologian and satirist Dr. Thomas Murner did take up the pen on behalf of the traditional church, their message resonated little with the Reformation public. According to Mark U. Edwards' statistics, only 296 Catholic pamphlets appeared between 1518 and 1524. A similarly small number of reprints reaffirms that interest in such pamphlets remained low. Looking at these figures, the dominance of the Evangelicals seems to have been overwhelming. There was no 'pamphlet war'—it was a siege.[4]

If we look more closely at Edwards' figures, however, we can find some interesting exceptions to the rule. Even in the early 1520s, there were some places with a substantial production of Catholic propaganda. One of them was Cologne, the old center of scholastic learning. Twenty-three anti-Lutheran pamphlets were published in the city on the banks of the Rhine, all but one written in Latin. Another city contributed even more to the Catholic cause; forty-nine anti-Lutheran editions were printed in Leipzig up until 1524, only a two-day trip away from Wittenberg. At the same time, the city that was hosting one of the largest printing industries in the empire was one of the leading producers of Evangelical literature. Melchior Lotter the Elder and his colleagues printed a considerable number of first editions by Luther, exceeded only by the printers of Wittenberg. By the cumulative number of copies produced in the first years, Leipzig was actually the number one city in terms of printing Luther in the Empire before 1521.[5]

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3 See Edwards, *Printing*; Moeller, "Kommunikationsprozeß"; id., "Stadt und Buch"; Köhler, "Meinungsprofil"; id., "Fragestellungen"; Hamm, "Medienereignis"; Pettegree, "Books"; Wohlfeil, "Reformatorische Öffentlichkeit"; as well as the articles in: Köhler, *Flugschriften als Massenmedium*; Gilmont; as a recent case study: Brockmann; as recent textbooks see Burkhardt, *Reformationsjahrhundert*; Pettegree, *Culture of Persuasion*.

4 See Edwards, *Printing*, 28–37, 57–82, also id., "Catholic Controversial Literature." About the phenomenon of Catholic controversial literature, see Jedin, "Kontroversliteratur"; Bagchi, *Earliest Opponents*; id., "Catholic Opponents"; Smolinsky, *Alveldt und Emser*; Crofts; Weiß; as well as the five-volume group biography: Iserloh, *Katholische Theologen*. For source material, see Klaiber; Köhler, *Flugschriften*; Laube/Weiß.

5 See Edwards, *Printing*, 28–37. According to Mark Edwards's count, 539 editions of Luther were published within the empire from 1516–1520. 156 of them were printed in Leipzig, 125

If there ever was a 'pamphlet war,' it raged in Saxony, not just in a battle of words, but also with regard to print production. Leipzig's printers commissioned many of the first editions contradicting Luther, presenting both the pros and cons of the Reformation debate to the public.[6]

After 1521, Leipzig's special status underwent a dramatic change. Here, more than anywhere else, the pope's ban on Luther's writings was carried out in full force. While the production of Lutheran books broke down, Leipzig developed into a leading imperial center for controversial Catholic literature. A total of 219 anti-Lutheran pamphlets were published there before 1539. Another seventy-five editions were printed in Emser's workshop in Dresden, which was only established in 1524. Together, Leipzig and Dresden surpassed all other cities in the empire, accounting for almost half of the total production of Catholic propaganda in Germany. Even more significantly, and in stark contrast to Cologne, most pamphlets from Albertine Saxony were written in German, the language of the people. For the Reformation public, "Leipzig" became synonymous with "anti-Lutheran."[7] While in Cologne the emphasis remained on scholarly theological literature, Leipzig (and Dresden) printed polemical pamphlets.[8]

This unparalleled development can be traced back to just one source—the endeavors of Duke George. Mark Edwards points out the significance of the duke's church politics for the empire's Reformation public: "Were it not for the efforts of Duke George of Albertine Saxony and his stable of publicists, the Evangelical media campaign would have been almost unopposed in the vernacular."[9] Along similar lines of inquiry, and building on older research, Helmut Claus and Heribert Smolinsky studied George's personal influence.[10] At this point in the research, our focus can shift to assessing George's interest in printed propaganda within the wider context of his church politics. Although Martin Luther was a phenomenon unprecedented in many ways, we will find

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in Augsburg and 113 in Wittenberg. Ibid., 22. Helmut Claus, however, does list Wittenberg on top, closely followed by Leipzig. See Claus, *Druckschaffen*, 10.

6 See Claus, *Untersuchungen*, Vol. 1, 24–72.

7 This is a statement by the preacher Johann Sylvius Egranus from Zwickau, who warned about the increasing divisions: "We should not be divided into sects so that we say, I am a Martinian, I am an Eckite, I am an Emserite, I am a Philippist, I am a Karlstadter, I am a Leipziger, I am a papist." Quoted from Karant-Nunn, "What was preached," 84.

8 See Edwards, *Printing*, 28–37.

9 Ibid., 37.

10 See Claus, *Untersuchungen*, Vol. 1; Smolinsky, *Alveldt und Emser*, 310–374.—Additionally, from older research, the work of Hans Becker on George's anti-Lutheran writing is still very instructive. See Becker.

that it was especially George's pre-Reformation experience which enabled him to make his voice heard in the Reformation public right from the start.

1.2 *Duke George and the Birth of Catholic Propaganda*

The importance of Duke George to anti-Lutheran controversial literature in Saxony is best illustrated by a comparison to the situation in the rest of the empire.

For some time, research has delved into the question as to why Catholic publishing had such little effect during the early years of the Reformation. Some authors have suggested that Catholic tracts had a lower verbal and intellectual level than Luther's writings and were therefore not as well received.[11] While this may have been true in some instances, it does not hold up more generally when considering the academic standards of the era. Confessional polemics have pictured Luther's opponents as a band of old monks out of touch with the real world;[12] in fact, there were many pro-reform humanists among the anti-Lutheran authors, including (after some reluctance) even Erasmus himself.[13] The two leading controversialists of Albertine Saxony, Emser and Cochlaeus, were renowned humanists with a strong interest in church reform. Finally, it was commonly held that using pamphlets to reach the Reformation public was a Lutheran innovation copied by traditional believers, but research has recently disproved this as well, especially in the case of Albertine Saxony. The concept and technology for a printed propaganda campaign had already been fully developed there by 1500.[14]

Newer approaches no longer seek to identify intellectual deficiencies among the Catholic protagonists. Instead, they have pointed out structural preconditions which yielded highly dissimilar communication options for the two sides.[15] To start with, Luther's call for the reform of church and faith was well-suited for public dissemination. Furthermore, the excommunicated heretic considered the public itself to be critical to his survival. To avoid the same fate as some of his medieval predecessors, Luther put great faith in the persuasiveness of the printed word. His opponents, on the other hand, found it difficult to find an audience, especially in the early years. In general, the public was more

11 See Köhler, "Fragestellungen," 7; as an example, see Smolinsky, *Alveldt und Emser*.

12 See Bagchi, "Catholic opponents," 98 f. However, conservatism might have been another motive for the condemnation of Luther. See Fraenkel.

13 See Augustijn, "Stellung der Humanisten."

14 See also ch. 13.

15 For the following, see Edwards, *Printing*, 57–82; Bagchi, "Catholic Opponents," 99–102; Laube, "Cochlaeus/Dietenberger."

inclined to listen to the self-proclaimed 'new light of the Gospel,' since the new message could expect to find more interest than the old familiar line.[16]

Luther's adversaries also found themselves up against another front. Even in their own camp, Catholic writers were met with suspicion. Ecclesiastical authorities were by no means unanimously supportive of their efforts. The Roman establishment clung to the notion that there was no good in arguing with heretics. In their eyes, even defying Luther would compromise the *magisterium* of the Church, its authority to interpret the Gospel. Such topics as the pope's justification for convicting Luther were therefore not for public discussion. It wasn't until the 1530s that the attitude of the curia began to change. In the early years, however, the curia dealt with the *Causa Lutheri* mainly as a disciplinary problem. Even nuncio Aleander, who knew Germany well, answered to complaints by Cochlaeus along these lines. Any theological reasoning with Luther, the nuncio stated in 1521, was unnecessary, since Luther did not present a religious challenge but rather a political one.[17]

Even when Luther's literary opponents managed to overcome the theological concerns and distrust of their contemporaries, they were still faced with very real economic difficulties. Because the church failed to recognize the value of their efforts, it refused financial assistance. This led to a lack of coordination of Catholic propaganda, and insufficient funding. The latter was made twice as challenging by a lack of sales. Ultimately, with no backing, Luther's opponents became more vulnerable to heavy invective from Evangelicals. In their correspondence, Catholic authors often mentioned the frustration of the lonely fighter, struggling in a losing battle. It is no surprise that most of them gave up their efforts against Luther after writing just a single tract.[18]

This is what made Duke George's church politics so vital for the birth of Catholic propaganda in Saxony;[19] they established conditions for defending the traditional church that were unavailable elsewhere, such as recognition and patronage by the authorities, a centralization of propaganda efforts and, above all, the financing of authors and their works.

16 See Köhler, "Fragestellungen," 7.

17 See Jedin, "Kontroversliteratur"; Laube, "Cochlaeus/Dietenberger," 124–126; Bagchi, "Catholic Opponents"; Aleander's testimony ibid., 101 f., from the Edition: Friedensburg, "Briefwechsel" (see also below, n. 31).

18 See Bagchi, "Catholic Opponents," 99; Laube, "Cochlaeus/Dietenberger," 119–122.

19 'Propaganda' is used here as a neutral working term, defined as any communication designed to "influence convictions" held by the public (Köhler, "Fragestellungen," 3, n. 5), or described in more detail as the "attempt to form perceptions, to manipulate conclusions, and to steer behavior to achieve a reaction in support of the propagandist's goals." (Hruza, "Propaganda Einleitung," 13).

The most important difference between George and the majority of Catholic rulers in the Empire was the early stand he took in the fight against Luther, plus his keen awareness of the important role the public would play in the struggle.

The duke's experience in church politics made him conscious of the widespread discontent with Rome, and he understood well the political explosiveness of Luther's message. Additionally, as a layman, he did not shy away, as some bishops did, from debating the future of the church among the lay public. Early on, discussions with his Ernestine cousins and his own subjects had led George to believe that the fight against Luther was actually a battle for the hearts and minds of the laity. For this reason, it was necessary to gain popular support for Catholic reform. This approach corresponded closely to the basic principles of Duke George's pre-Reformation church politics in which laymen and their salvation were of central importance.[20] This spirit is expressed in George's 1526 thank you to Erasmus of Rotterdam for his tract "*Hyeraspistes diatribae*." The prince wrote not only of his gratitude, but also of his intentions to have a German translation printed. He wanted shoemakers, tanners and literally everyone in the lower classes to understand Erasmus's message and turn away from false Lutheran teachings.[21]

As this study has pointed out, the duke was already well acquainted with the use of printing for propaganda purposes before Luther's ascendance, especially when it came to matters of church politics. He had made use of books to campaign for the canonization of Benno of Meissen, promoted pious literature for the laity in Leipzig, been involved in the public controversy over the reformation of Leipzig's Franciscan monastery, and commissioned pamphlets to generate public support for his 1514 military campaign in Frisia.

At any given time, Duke George had resources at his disposal for generating propaganda in support of his church politics. These included Leipzig's printing houses and a circle of authors, either from the university or, like Emser, already in service to the prince himself.[22] Undoubtedly, being one of the empire's

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20 See ch. 14.

21 "*Ceterum ne te cerdonum et coriariorum invidia premat, curabimus, quod liber tuus debeat Germanica lingua donari atque ab illis intelligi. Nihilque dubitamus, quin permulti non solum in hoc dogmate sed et in omnibus aliis damnatis ab illius* [*i. e. Luther*] *sententia sint discessuri palamque videbunt te non frustra hucusque tacuisse*." Duke George's letter to Erasmus of Rotterdam, Leipzig, April 16, 1526, ABKG, Vol. 2, 527 f./Allen, ep. 1691. See also George's handwritten draft, ibid., 528, n. 1.—About George's position, see also Smolinsky, *Alveldt und Emser*, 386.

22 See ch. 13.

wealthiest princes also gave him the necessary financial wherewithal. Finally, his censorship politics affirm how well he understood the value of influencing the public by offensive as well as defensive means.[23]

Against this backdrop, it is obvious that in Albertine Saxony the use of pamphlets was not a new strategy that had to be learned from Luther. From the moment that Duke George decided to challenge the reformer, he used propaganda and censorship as integral tools in his anti-Lutheran church politics. In the case of the Hussites, we can observe how anti-Lutheran polemics developed smoothly out of pre-Reformation propaganda.

It was not until 1514 that the prince first had a tract published to argue against the defense of Hussite teachings that had been printed in Nuremberg in 1511.[24] In 1519, during the first public confrontation with Luther, 1,000 copies of Emser's pamphlet *De disputatione Lipsicensi, quantum ad Boemos obiter deflexa est* were published along these lines to dispute Luther's ambivalent commentary at the Leipzig disputation. As revealed by the title and intended recipients, however, its primary purpose was to attack the Hussites.[25] When observing Luther's angry reaction and Duke George's decisive opposition to him a few months later, we can retrospectively recognize this as the beginning of anti-Reformation controversial publishing—a mix of anti-Hussite and anti-Lutheran propaganda.

The picture is rounded out by George's own efforts as an anti-Lutheran author, a subject well covered by research. This puts him in the same group with such figures as England's King Henry VIII, revealing his exceptional theological expertise and deep personal interest in fighting on behalf of the traditional church.[26] Above all, it shows remarkable self-confidence as a layman that many of his anti-Lutheran pieces were published under the names of clergymen. It made no difference whether he wrote a rebuke to Luther on behalf of Bishop Johann VII in 1520[27] or published a pamphlet under the name of Father Arnoldi from Cőlln near Meissen. In every case, he took the fight to Luther on an equal footing, even when his texts began with a tone of self-deprecation.[28]

The duke's awareness of the importance of public opinion, the focus on propaganda for the laity, political control and financing of Catholic authors were

23 See ibid., and below, section 2.

24 Hieronymus Dungersheim, "*Confutatio apologetici* [...]," Leipzig: Wolfgang Stöckel, 1514 (VD 16 D 2947). See also p. 420–422.

25 See p. 459–462.

26 See Becker; Smolinsky, *Alveldt und Emser*, 323–336.

27 See p. 474 f.

28 See n. 1.

the parameters of modern territorial church politics. This was unparalleled throughout the empire. What Mark Edwards has put forward as a thesis can thus be taken as an established fact: "Duke George of Saxony appears to have understood and exploited the press in the Catholic cause more than any other Catholic ruler, including the various ecclesiastical princes."[29]

1.3 *Financing Catholic Authors and Pamphlets*

The ignorance of the curia and many bishops regarding the concerns of Catholic controversial writers affected not only their motivation but also their precarious financial situation. Because of the poor market for anti-Lutheran pamphlets, printers expected Luther's opponents to pay for part or all of the printing costs. All the same, it was sometimes difficult to find a willing printer, as Cochlaeus found in 1521–22. For this reason, many anti-Lutheran tracts remained unprinted for long periods of time—sometimes forever.[30]

In 1521, when the *Causa Lutheri* was reaching its first high point at Worms, authors such as Cochlaeus and Emser turned to nuncio Aleander seeking patronage. It was their hope that the papal envoy would have a better understanding of the situation in the empire and an interest in the development of anti-Lutheran publishing. Cochlaeus's letter painted an especially drastic picture, stressing the role of Hieronymus Emser, whom he deemed to be the last critic standing against Luther in the empire. However, both Cochlaeus's and Emser's hopes for financial and logistical support (such as a spy-proof postal service) were bitterly disappointed. Despite the fact that year after year the curia granted thousands of prebends and financial awards, Rome was not prepared to contribute any resources or even the smallest German benefice to the media campaign against Luther.[31]

This made the patronage of secular princes even more crucial. Duke George wished to make life easier for authors writing against Luther by providing both a steady income and financial subsidies for printing. Of course, the duke made

29 Edwards, *Printing*, 36.

30 See Laube, "Cochläus/Dietenberger," 119–135; Edwards, *Printing*, 76–82; Bagchi, "Catholic Opponents," 101 f.

31 This correspondence was preserved in a registry of Aleander's held at the Vatican library. See B. A. V., cod. Vat. lat. 6199, 8075. See also the edition: Friedensburg, "Aleander"; id., "Briefwechsel," there, about Cochlaeus: Vol. 18 (1898), 106–131, 233–297, 420–463, 596–636; see in particular the letter from Johannes Cochlaeus to nuntius Girolamo Aleander, Frankfurt, 27. September 1521, ibid., 119–126; Hieronymus Emser's letter to id., Leipzig, March 10, 1521, Friedensburg, "Aleander," 329. See also Laube, "Cochlaeus/Dietenberger," 119, 124–126; Kawerau, 106 f.—About the problem of unsecured postal service, see Tewes, "Luthergegner."

selective judgments, with his court chaplains Emser and Cochlaeus profiting the most.[32] With George's blessings, they were awarded prebends to produce written works as publicists and were contracted for translations as well as the editing of other authors. Their income also partially covered their printing costs.[33] Additionally, Emser's service to the prince included the establishment of Dresden's first printing workshop. With the Emser Press (probably financed in part by Duke George), there was now a "printing house almost completely at the service of religious politics."[34]

It is noteworthy that Emser occupied the position of ducal publicist long before the Reformation began. Duke George had awarded him prebends during Benno's canonization campaign and facilitated his "public efforts" in support of church politics.[35] To a great extent, this unique background explains Emser's early and enduring efforts against Luther. It also mitigates his complaints about his financial situation to nuncio Aleander. Compared to members of the curia in Italy, Emser's yearly income of eighty florins may have seemed low. He was, nonetheless, among the wealthiest members of Saxony's lower clergy, and one who always had his prince's ear.[36] Emser's continuous productivity and his ancillary activities, such as the press in Dresden, all point to it having been a very positive working environment.

When Emser died in 1527, Duke George began to search for a successor. Interestingly, he did not choose an experienced Saxon clergyman but selected an outsider of special repute instead. Filling his friend Emser's position was no

32 About their benefits, See p. 292–294.

33 About Emser, see Kawerau, 129, n. 209; About Cochlaeus see below the sources in n. 43.— Emser also received money for his books from the Princess Margarethe von Anhalt. See Smolinsky, *Alveldt und Emser*, 43.

34 See Smolinsky, *Alveldt und Emser*, 40–47; 324–328; Kawerau, 58–54; Aurich, 117 f., the quote 105.

35 See also Emser's corresponding statement about his commission "*ad literarum*" from the dedication of the Vita Bennonis (1512) and from his first pamphlet against Luther (1519): "*Divi Bennonis Missnensis quondam antistitis vitam, clarissime, potentissimeque princeps,* [...] *illustri tuae claritati humiliter offero ac dedico, tum quod tua liberalitate et claementia id tandem scribendi ocius nactus sum, tum quod neminem magis deceat, eius libri dedicatio.*" Hieronymus Emser, *Divi Bennonis Misnensis quondam episcopi vita* [...], Leipzig: Melchior Lotter the Elder, 1512. (VD 16 E 1117), fol. A IIr. "*Ita nunc quintumdecimum inter Misnenses ago annum, e quibus in sextum usque illustrissimo ac clementissimo principi meo ab epistolis inserviens duobus donatus sacerdotiis, ipso bene favente, ad literarum ocia redii.*" id., *A venatione Luteriana aegocerotis assertio* [Leipzig: Martin Landsberg 1519], Thurnhofer, *Emser*, 42–99, here 93.

36 About Emser's income, see p. 292–294.

less than Johannes Cochlaeus, a theologian highly regarded by popes and one of the most high-profile adversaries of Luther in the empire. Mark Edwards is probably right in believing that it was Cochlaeus's pamphlets that won him the office of Albertine court chaplain.[37] Emser's term had transferred the chaplaincy into the position of a kind of chief propaganda commissioner. Now, Cochlaeus was put in charge of what the Lutheran Lazarus Spengler had dubbed "Duke George's chancellery shop" ("herzog Georgischen canzlei schmiedten").[38]

At court and beyond, the willingness to write against Luther made careers in Albertine Saxony. In 1525, the prince directed the University of Leipzig's theological faculty to examine the anti-Lutheran writings of Master Heinrich Lutterfeld. The University was ordered to print them if they proved to be sufficiently orthodox and useful. Further, Lutterfeld was be remunerated and offered the position of a lecturer in mathematics.[39] Other authors, such as the Dresden Palace chaplain Wolfgang Wulffer and the Leipzig theology professor Hieronymus Dungersheim, were already in the duke's employ when they began writing against Luther. The anti-Lutheran authors who belonged to religious orders, such as Augustin von Alveldt, Jakob Schwederich and Johannes Linder, required no direct support from Duke George. At the top of the hierarchy, prelates Simon Blick and Paul Bachmann, abbots of the wealthy monasteries at Pegau and Altzelle, were able to pay for printing costs themselves.[40] All of these writers were aware that by taking up the pen against Luther, they were certain to gain their prince's good will.

Leipzig printers first began to print and sell Luther's pamphlets as well as those of his opponents within the context of the Leipzig disputation of 1519.[41] Complaints piled up, however, when the printing of Luther's works was banned. Printers were now limited to only Catholic writings, for which there

37 See Edwards, *Printing*, 36.—About Cochlaeus, see Bäumer.

38 Lazarus Spengler's letter to Veit Dietrich, Nuremberg, February 8, 1534, ABKG, ms. Werl, no. 2705.—Spengler's quote, which shows that the Evangelicals imagined Albertine controversial literature being created at Duke George's direct command, is often found somewhat altered in the literature. See e.g. "Georgische cantzley und schmidten" in Ludolphy, "Kampf," 175, it is quoted there according to Flathe, 686.

39 See Duke George's letter to the dean and doctors of the faculty of theology at the University of Leipzig, Dresden, March 7, 1525, ABKG, Vol. 2, 62.

40 About the Albertine controversial theologians, since they are not addressed in detail in this chapter, see Smolinsky, *Alveldt und Emser*, 337–374.

41 See Claus, *Untersuchungen*, Vol. 1, 24–43, 62–72.

was little commercial interest.[42] Soon, they only printed anti-Lutheran material if it was paid for by the client.[43] Unfortunately, archival sources are silent about the financial side of the duke's support, most likely because Duke George personally administered his own expenditures without keeping records.[44]

A rare insight into the duke's actions is provided by correspondence in 1529 between the Leipzig printer Melchior Lotter and the Zwickau schoolmaster Stephan Roth. Lotter reported that the prince had ordered him to print the translation of a pamphlet (whose title was not mentioned), while stipulating the number of copies to be printed and agreeing to cover the costs. A few days later, 350 copies were picked up by the Leipzig city councilman Hieronymus Walter, a well-known Catholic partisan. Subsequently, they were delivered in a barrel to the tax collector at the Leipzig palace, who had the pamphlets transported to Dresden. A handful of the (Latin?) copies that did not fit in the barrel were sent by Walter to important Catholic and Lutheran humanists: Christoph Scheurl, Willibald Pirckheimer and Lazarus Spengler in Nuremberg; Conrad Peutinger in Augsburg; and Johannes Fabri in Wien. Although he had wished to keep 100 copies to sell, the printer apparently ended up empty handed.[45]

A number of printing projects that were directly commissioned by Duke George provide us with further hints about his financial support. The important role played by the duke in an enterprise involving Petrus Sylvius (Peter Penick of Forst in Lower Lusatia) is particularly notable.[46] The former Dominican from Leipzig, who received a dispensation from his order (like Erasmus), had been engaged in anti-Lutheran writing since 1519. Due to his inability to find a willing printer and his own insufficient income, however,

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42 The oft-quoted (See e.g. Edwards, *Printing*, 14) complaint by the Leipzig printers from 1524: "The book printers have often, both now and before, complained heavily to us that their livelihoods are ruined [...] because they are no allowed to print or sell anything new that is made in Wittenberg or elsewhere. For that which one would gladly buy and for which there is demand, they are not allowed to have or sell. But what they have in large stacks, is desired by no one and cannot even be given away." Letter from the Leipzig city council to Duke George, [Leipzig] April 7, 1524, ABKG, Vol. 1, 640–644.

43 In the 1530's, Cochlaeus was still complaining about this situation, which he saw as an intentional hindrance to his work. See Johannes Cochlaeus's letter to Thomas More, Dresden, June 29, 1531, Pollen, 46–49; Letter from id. to Cardinal Albrecht, Dresden, July 9, 1531, ABKG, ms. Werl, no. 2185. See also Claus, *Untersuchungen*, 201–204.

44 See Schirmer, *Kursächsische Staatsfinanzen*.

45 See Melchior Lotters the Elder's letters to Stephan Roth, Leipzig, November 7 and 14, 1529, ABKG, ms. Werl, no. 1944, 1948; Hieronymus Walter's letter to Duke George, Leipzig, November 13, 1529, ibid., no. 1949.

46 About Sylvius see Smolinsky, *Alveldt und Emser*, 346–356.

his works had never been printed. It was not until 1525, when he was recommended to Duke George, that it became possible for him to publish his first three tracts. Another two dozen were waiting in a drawer.[47] Once he had won the favor of the duke, the Leipzig city council also contributed funds, which he was able to use to have several more pamphlets printed "because now there are no book printers who are willing to print at their own expense."[48] Ultimately, the duke promoted Sylvius to a prebend that provided the financial security for producing further controversial writings. For this, the author expressed his deep gratitude to George in a dedication:

"To whom can I dedicate the print of the first eleven pamphlets more appropriately [...] than the luminous, highborn prince and lord, Sir George, Duke of Saxony [... since] his princely grace looked upon my writing from the start with his generosity and council, and then by the will of God, provided me, a poor, needy and unworthy priest, with an ecclesiastical fief."[49]

By contrast, the Dominican Johannes Lindner from Pirna was unsuccessful in his request to have his "chronicle piece" printed. Apparently, the chronicle of the *Monachus Pirnensis* known by the title *Onomasticum mundi generale*, did not fit into the pattern of anti-Reformation pamphlets, despite its many barbs aimed at Luther.[50]

The politics of Duke George were responsible for an early boom in Catholic propaganda right in the heart of the Reformation homelands. Of the six most productive anti-Lutheran authors in the empire before 1555, no fewer than four—Emser, Cochlaeus, Sylvius and Georg Witzel[51]—were based in Albertine Saxony. Every one of them was closely connected to Duke George.[52] Other contributors, such as Augustin von Alveldt, Hieronymus Dungersheim

47 See Smolinsky, *Alveldt und Emser*, 346–348; Laube, "Cochlaeus/Dietenberger," 123, n. 14.

48 Quoted from Claus, *Untersuchungen*, Vol. 1, 151.

49 Petrus Sylvius, *Die andern acht hinderstelligen bucher* [...], Leipzig 1528, quoted from Smolinsky, *Alveldt und Emser*, 346.

50 "[...] I accept [...] your princely grace, my merciful lord and prince, as a merciful and most favorable first patron and commissioner of this edited chronicle work, [...] asking with servitude and humility to accept this out of princely indulgence, generosity and merciful intentions and to help to have it printed for the greater common good." Johannes Lindner, dedication of the so-called *Onomasticum mundi generale* to Duke George, 1529, Lindner, foreword.

51 About Witzel, see Henze.

52 See Edwards, *Printing*, 36. Although Catholic authors could work in Saxony only until George's death in 1539, they still rank that high in Edward's statistics until 1555.

and Paul Bachmann, were able to publish anti-Lutheran books over a sustained period.[53]

This did not mean, however, that Luther's Albertine adversaries were immune from attack. Along with the mutual insults found in pamphlets, there were also direct attempts at intimidation. In early 1521, twenty students from Leipzig started a feud with Emser because he had insulted "*Martino Luthero, innocentissimo theologo*."[54] In the same year, unknown assailants smashed the windows of his Dresden residence.[55] Nonetheless, throughout all of these hostilities, the Swabish humanist trusted that the prince knew how to defend his men. Duke George sent a letter home from the Diet of Worms, ordering a response to the attacks "as if they would be against ourselves."[56]

1.4 *Catholic Arguments*

The core content of Albertine controversial writing can be quickly summarized. Luther himself was the central target of their attacks. As a false teacher spreading heretical doctrine denounced by the church, he was presented as a creature of the Devil, or sometimes as the Antichrist. Luther was also condemned for his aggressive behavior toward ecclesiastical and secular authority, feared to lead to chaos and insurrection among the commoners; for the Catholic authors, the Peasants' War had been the fulfillment of their worst predictions. A third emphasis of their criticisms was rooted in pastoral theology. Accusations were leveled against Luther's concept of grace and his invalidation of good works as a means of salvation. The Albertine authors held this not only to be false but also to be a seduction by the Devil, as it could lead laymen to interpret the emphasis on faith and mercy as an invitation to frivolity, thereby placing their souls in jeopardy. Luther's advice for monks to give up their vows and for priests to marry was seen to be related, further proof that he openly promoted immorality.[57]

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53 For an overview on Albertine controversial authors, see Smolinsky, *Alveldt und Emser*, 337–374. In 1520, Alveldt, a Franciscan from Leipzig and one of Luther's first literary adversaries, wrote nine pamphlets against the new teachings coming out of Wittenberg. See ibid., 20.

54 Feud letter "*Viginti nobiles adulescentes Emsero bellum*" [Anfang 1521], ABKG, Vol. 1, 146, n. 3. The feud letter also attacked "*Antichristi apostolorum*," specifically naming Johannes Eck, Girolamo Aleander and Augustin von Alveldt, another Catholic author from Leipzig.

55 See Smolinsky, *Alveldt und Emser*, 43.

56 Duke George's letter to Duke Friedrich the Younger and the Dresden city council, Frankfurt, January 9, 1521, ABKG, Vol. 1, 146 f.

57 See Edwards, *Printing*, 149–162; Smolinsky, *Alveldt und Emser*, 375–384; additionally, Volkmar, *Heiligenerhebung Bennos*, 169–172; About George's opinion of Luther, see also

A unique aspect of the Saxon perspective was the heavy emphasis placed on the link between Luther and Hus. In 1520, Augustin von Alveldt was already attacking Evangelicals as the "new Hussites." In the years leading up to the Peasants' War, one of the major themes of Albertine pamphlets was the warning that Luther wished to turn all Germans into followers of the Bohemian sect.[58] In 1521, at the top of his comprehensive tract *Wider das unchristenliche buch* ["Against the Un-Christian Book"], Emser answered Luther's *Letter to the Christian Nobility* by promoting the concept that Luther was teaching Hus's ideas. Proof of the dependence was given by a series of individual points throughout the pamphlet, for instance, his ideas about the sacrament, the priesthood and the mass. Ultimately, the claim was that Luther's writing was in fact a pledge of allegiance to Bohemian heretics.[59]

And, what were the motives of the Albertine authors? Surely they extended beyond simply exposing Luther as a heretic.[60] By 1520–21, the papal excommunication bull had made this unnecessary, but Saxon Catholics remained concerned about the connection between Hus and Luther. Playing on the medieval topos of mutual dependency among heresies, this reflected a fear of Hussites that was deeply rooted in Saxon history. Identifying the new enemy with an old one linked the propaganda to Duke George's church politics, which were directed first against the Hussites and then against Luther.[61]

The perception of a link between Luther and the Hussites was not only fed by reports of contacts between Bohemia and Wittenberg, but was also spread by Bohemian Catholics.[62] The Prague administrator Johannes Žak corresponded with Emser about their common struggle, and made use of Albertine resources.

In 1524, the Emser Press printed Žak's refutation of the Elbogen church order.[63] The conflation of anti-Lutheran and anti-Hussite propaganda was

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ch. 20.—The arguments do not differ from the general tenor of the Catholic defenders. See e.g., Bagchi, "Catholic Opponents," 102–107.

58 See Smolinsky, *Alveldt und Emser*, 251–253; 376–381.—It was not until the second half of the 1520s that Albertine pamphlets began to make note of the differences between Luther and Hus. Their message began to use the argument that Luther was in fact so bad a heretic that even the Bohemians wished to disassociate from him. This was expressed by Johannes Fabri (later, bishop at Vienna) in a pamphlet from 1527/28, printed by Schumann in Leipzig. See Smolinsky, *Alveldt und Emser*, 381; Hoyer, "Hus," 304–306.

59 See Smolinsky, *Alveldt und Emser*, 251–253.

60 This argument is emphasized by Smolinsky, *Alveldt und Emser*, 379.

61 See ch. 15, section 2.

62 See ibid.

63 See Aurich, 64, 103; Clemen, "Elbogener Kirchenordnung."

particularly apparent in this case. The Prague cathedral chapter, a stronghold of Bohemian Catholics, had employed Žak to characterize the Elbogen church order as being Lutheran rather than Hussite. Heribert Smolinsky has pointed out that Žak obtained help with this from his friend Emser.[64] While Duke George was threatening Count Schlick with political consequences for wishing to introduce the Reformation to Elbogen,[65] the press in Dresden that he supported was printing Žak's refutation. This was an effective way to help the Bohemian allies in their fight against the common enemy.

All in all, there is a remarkably high degree of conformance between the pamphlets of Albertine authors and Duke George's view of the Reformation. One can hardly find any differences, such as the critical position that Hieronymus Emser retroactively expressed towards hosting the Leipzig disputation.[66] Again, this leads back to the years before Luther, when their collaboration on the canonization of Benno von Meissen had proved that Emser and George already shared similar ideas about the necessity and methods of church reform.[67]

References by Emser, Alveldt and Bachmann to Duke George's position of resisting the Hussites as a Wettin tradition,[68] point again to the close relationship between the duke and "his" controversial theologians.[69]

1.5 *The Scope of the Media Campaign*

Anti-Lutheran propaganda fulfilled a broad range of functions within Albertine church politics. Many of the pamphlets to come out of Albertine Saxony can be traced back to directives from Duke George. Keeping up the steady sparring with Luther could hardly have been possible without central guidance. The adversaries saw this as well. Lazarus Spengler wryly commented on a pamphlet of Georg Witzel's as being "hammered out in Duke George's chancellery shop."[70] This did not mean, however, that every one of the 294 pro-Catholic tracts printed during George's governance came about by direct order of the

64 See Smolinsky, *Alveldt und Emser*, 38, n. 123.

65 See p. 502 f.

66 About Emser, see Smolinsky, *Alveldt und Emser*, 225.—About George's attitude regarding the disputation, see p. 459–462.

67 See Volkmar, *Heiligenerhebung Bennos*, 129–140.

68 About George, see p. 468 f. The argument appeared in the pamphlets in a wider sense, presenting opposition to the Hussites as an obligation to the emperor and all princes. See Smolinsky, *Alveldt und Emser*, 123, 249, 277, 363, 388 f.

69 Also the opinion in Smolinsky, *Alveldt und Emser*, 41.

70 Lazarus Spengler's letter to Veit Dietrich, Nuremberg, February 8, 1534, ABKG, ms. Werl, no. 2705.

prince.[71] One should give recognition to the independent initiative of the authors and the mid-level coordination by court chaplains Emser and Cochlaeus. The limits of the duke's supervision can be seen in George's query to the Leipzig city council for information concerning some new pamphlets. It is only through the council's answer that the duke learned that two of the tracts had been written by the Dresden palace chaplain[72] Wolfgang Wulffer.[73]

Duke George's involvement in the production of pamphlets is often difficult to trace. In the case of the *Determinatio*, published by the Paris Sorbonne about the Leipzig disputation, George himself had commissioned and paid for an opinion from the theologians in Paris.[74] It is also known that the Leipzig printer Martin Landsberg published the Paris decision on April 15, 1521.[75] It therefore stands to reason that George had had the condemnation of Luther brought from Paris to Leipzig and then hired Landsberg to print it.

There is, however, enough sound evidence with which to reconstruct a certain pattern of influence. Hieronymus Emser worked directly for the duke. Aside from Emser's pamphlet battles with Luther, which had their own internal dynamic, he also took on direct commissions for writing, translating and publishing activities. On several occasions, he also gave credit in his tracts to the authorities who provided support.[76] Even Luther assumed that Emser was usually writing at George's behest.[77] Indeed, his most important work, the German edition of the New Testament, was a commission in support of the duke's church politics.

Duke George's support for Catholic propaganda can be summarized in four points:

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71 For the numbers, see Edwards, *Printing*, 33.

72 About Wulffer as a controversial author, see Smolinsky, *Alveldt und Emser*, 367–369; Butte, 190; for his biography and about his benefices, see ABKG, Vol. 1, 313, n. 2. Not mentioned there is Wulffer's altar benefice under the duke's patronage, "at the prince's seat of governance in the palace," for which he received the title of palace chaplain. In 1536, it was valued at 40 fl., along with "a tax-free house on Elbgasse." Income files of Dresden benefices, February 24, 1536, loc. 9837/20, Vol. 1–11, here fol. 2r. According to Georg Müller it was held by Wulffer from 1519 on. See Müller, "Wulffer."

73 See the Leipzig city council's letter to Duke George, [Leipzig] April 25, 1522, ABKG, Vol. 1, 312 f.

74 See p. 475.

75 See Claus, *Untersuchungen*, Vol. 1, 50 f.

76 See Smolinsky, *Alveldt und Emser*, 247, 276.

77 See ibid., 247.

1. Direct refutation of Luther;
2. Translation of anti-Lutheran tracts by foreign authors;
3. Documentation of current political activities; and
4. Catechesis and translation of the New Testament.

A multitrack strategy was in play, tailored to the needs and potentiality of the Reformation public. The goal of Albertine authors was to provide Catholic responses to all of Luther's pamphlets as quickly as possible. George even employed spies in Wittenberg's printing houses to keep him informed of upcoming projects.[78] Sometimes, however, the Albertine authors went on the offensive in attempts to exploit the perceived weaknesses of their adversaries. This was the case in 1525 when Luther's marriage was ridiculed, and also when pointed accusations were written in relation to the Peasants' War.[79] Additionally, in an effort to convince his subjects of Luther's heresy, Duke George was eager to show that Christianity outside of the empire had unanimously condemned the reformer. The duke had the anti-Lutheran opinions translated and printed from such diverse figures as England's Henry VIII, John Fisher and Erasmus. It was an effort to bring these outside voices into the middle of the German debate in order to gain attention and backing for his position.

Being an educated layman himself, George attributed great importance to the German language as a way to reach the laity.[80] Differing from the usual Catholic publications, most of the pamphlets out of Leipzig and Dresden were printed in the vernacular, which was in no small part due to the duke's influence.[81] This approach is well illustrated by perhaps Duke George's most revolutionary propaganda project, a translation of the Catholic Bible. Finally,

78 See Becker, passim. This involved an anonymous report concerning sermons (the so-called Invocavit Sermons) that Luther gave after his return that focused on the excesses of the Wittenberg movement. These reached Cäsar Pflug and ended up in the Dresden files. See the report to Cäsar Pflug, loc. 10299/7, fol. 71–82.

79 See Smolinsky, *Alveldt und Emser*, 345.

80 See above, n. 21.—On the other hand, the letters of the humanist Emser clearly express a certain amount of regret about the shift to the vernacular. He was nonetheless convinced of its necessity, because this was the language that Luther used for convincing the simple and uneducated public, "*Quid enim ille tibi profuerit, cum Luthero plebeculam vulgari lingua inficienti coactus sim et ipse vernacula occurrere? Quod nisi plaebis indoctae rationem habuissem, majorem forte gratiam iniissem apud litteratos si latine scripsissem.*" Hieronymus Emser's letter to Erasmus of Rotterdam, Dresden, December 25, 1526, ABKG, Vol. 2, 671 f./Allen, ep. 1773.

81 See Edwards, *Printing*, 31, 34 f.

the publication of current correspondence was also aimed at influencing public perceptions of religious politics in Saxony and the empire. In all of these measures, George's goal was to give traditional believers a voice within the Reformation public and to broadly confront Luther with forceful authority. Evangelicals could not be allowed to dominate the public debate without rebuttal.

In practice, these aspects of Albertine propaganda were closely tied to each other. One illustration is Luther's dispute with Henry VIII of England. The translation of the king's famous *Assertio septum sacramentorum* is an early example of Duke George's double strategy of attacking Luther with German language content and publishing international criticism. How this came about sheds some light on George's efforts. The prince had heard about a certain Dr. Lange, who was traveling, with a copy of the *Assertio,* to the bishop of Breslau. Duke George insisted on seeing the text and was so impressed with its content that he immediately assigned Emser to translate it. Only after the translation was complete did he allow Lange to continue his journey to the bishop, now also carrying a copy of the translation and a letter of apology. Meanwhile, two editions of the German *Assertio* had been printed.[82] The bishop was Jakob von Salza, an active anti-Lutheran who not only accepted the duke's apology but also promised to praise his actions during an upcoming trip to Rome.[83]

Soon afterwards, Duke George was able to reap further benefits from the English king's animosity toward Luther. As is well known, Luther responded to Henry by writing a biting antithetical text. In response to George's German translation, Luther's answer was printed in German as well as Latin. The duke immediately charged Luther with lese-majesty before the Regency Council.[84] Henry himself reacted by sending a letter to the Saxon princes that was personally delivered to Wittenberg and Leipzig by a herald in early 1523. While the Ernestines continued to deflect such issues, George used the opportunity to praise Henry VIII for his writing and to raise the profile of his fight against Luther. With the Reformation public in mind, he gave priority to translating and printing the *Assertio* as well as placing a ban on Luther's September Testament, as urged by King Henry.

82 See Kawerau, 40, 121.

83 See Bishop Jakob of Breslau's letter to Duke George, Neisse, August 6, 1522, ABKG, Vol. 1, 334 f.

84 See Duke George's letter to the Regency Council, Dresden, November 3, 1522, ibid., 378 f.

Duke George had Emser see to the printing and distribution of both letters in Leipzig, including his response of May 9.[85] Printed in Latin, the letters were sent to scholarly addressees, eliciting praise from Erasmus himself for "*tuam eruditissimam epistolam*."[86] The English king likewise found George's struggle against Luther to be noteworthy. With the appearance of a conciliatory letter from Luther, Henry wrote another negative response for publication. Already provided in advance with copies of the correspondence, George immediately had Latin and German versions printed.[87] The duke and the king corresponded about the struggle against the Reformation once again in 1529.[88]

From another point of view, Duke George's correspondence with Erasmus of Rotterdam reveals the wide scope of Albertine propaganda politics.[89] The exchange of letters—the largest between the scholar and a prince—had been initiated by an invitation for Erasmus to teach at the University of Leipzig.[90]

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85 See ABKG, Vol. 1, 499, n. 1; Duke George's letter to King Henry VIII of England, Quedlinburg, May 9, 1523, ibid., 504–509. See also Kawerau, 40 f.

86 Erasmus of Rotterdam's letter to Duke George, Basel, September 6, 1524, ABKG, Vol. 1, 734/ Allen, ep. 1495.

87 The foreword to the German translation is dated January 7, 1527. See *Collected Works of Erasmus*, Vol. 12, 423, n. 7; Verification of the printing is also in Aurich, 109.

88 In August 1529, Johannes Cochlaeus informed the king by way of an emissary from Duke George on the progress in the fight against Luther. See Johannes Cochlaeus's letter to King Henry VIII of England, Dresden, August 26, 1529, Pollen, 43–46. Diverging from John H. Pollen's (ibid., 46, n. 1) supposition, this dispatch actually took place. Christoph von Carlowitz traveled to England, where, among other things, he enquired as to the whereabouts of the defected Otto von Pack. See Duke George's letter to King Henry VIII of England, Dresden, August 6, 1529, ABKG, ms. Werl, no. 1873 also ibid., n. 1, about Carlowitz's travel report.

89 There are only two older and outdated works available. See Lehmann, *Briefwechsel*; Reichel (for the first, see the critical comments by Felician Gess [ABKG, Vol. 1, 350, n. 1; 734, n. 1]). For the edition of the surviving correspondence between George and Erasmus, see ABKG; Allen. Also useful for its more recent commentary is the English translation of the letters according to Allen's edition. See *Collected Works of Erasmus*, Vol. 4–12. See also Ribhegge.

90 This invitation was proffered in two letters from Hieronymus Emser that, together, marked the beginning of contact between him and Erasmus. The first was a letter to Willibald Pirckheimer, in which Emser asked him for an introduction to Erasmus. The other was the first direct letter to Erasmus, which Emser gave to the Latin scholar Richard Croke (Crocus) to deliver on his return to Cambridge from a visit to Leipzig in early 1517. In the letter, he mentioned his edition of Erasmus's *Enchiridion militis christiani* (see p. 360 f., 420, 423) and reiterated his invitation to Leipzig in Duke George's name. See Willibald Pirckheimer's letter to Erasmus of Rotterdam [Nuremberg, February 1517?], Allen, ep. 527/*Collected Works of Erasmus*, Vol. 4, 214; Hieronymus Emser's letter to id., Dresden,

From 1520, the focus had been on issues involving Luther, with Emser giving additional advice to the prince on the establishment of the *studia humanitatis* at Leipzig. Others besides George to whom the renowned humanist established contact included Emser, Petrus Mosellanus, a scholar for Greek philology, and George's chancellor, Dr. Simon Pistoris.[91]

Since Duke George was not a humanist himself, and despite his support for the new learning, his correspondence with Erasmus was purely for political purposes. At the heart of it was his wish to enlist the great Erasmus in the publishing war against Luther. This plan was already evident in the second letter from George of July 9, 1522. After insinuating that Erasmus was actually the ghostwriter of Henry VIII's *Assertio*, the duke pivoted to his request that the great scholar might now wish to take a more public stance against Luther. As reference material, George enclosed two current pamphlets by Luther, notably printed in German.[92]

For some time, however, Erasmus had been seeking a basis for accommodation with the Evangelicals and was put off by the level of hatred on both sides. It was for this reason that he declined to participate. Despite living in Basel, the famous philologist offered the altogether unlikely excuse that he was not qualified to read Luther's writings in German.[93]

When Erasmus finally published *De libero arbitrio diatribe*, Duke George was full of praise. To prompt Erasmus to write more controversial theology, the duke quickly sent him two more of Luther's Latin tracts.[94] The famous humanist soon lamented that neither the pope nor the emperor had pressured him to fight against Luther as much as the Saxon duke had.[95]

March 15, 1517, Allen, ep. 553/*Collected Works of Erasmus*, Vol. 4, 284–286. Croke also had a letter in his luggage from Hieronymus Dungersheim and Petrus Mosellanus to Erasmus (see Allen, ep. 554, 560).—George, however, was more reserved in his first letter (only a draft of which still exists), expressing only the wish to meet Erasmus. Whether Erasmus actually received this letter seems doubtful. See Duke George's letter to Erasmus of Rotterdam [January 1517], ABKG, Vol. 1, 350, n. 1/Allen, ep. 514.—While Erasmus did compliment George's support for humanist studies at the University of Leipzig, he made no reference to this invitation.

91 See the literature in n. 89.

92 See Duke George's letter to Erasmus of Rotterdam, Dresden, July 9, 1522, Allen, ep. 1298/*Collected Works of Erasmus*, Vol. 9, 119 f. [this letter is not found in the ABKG].

93 See Erasmus of Rotterdam's letter to Duke George, Basel, September 3, 1522, ABKG, Vol. 1, 350–355/Allen, ep. 1313.

94 See Duke George's letter to Erasmus of Rotterdam, Leipzig [October 3–8] 1524, ABKG, Vol. 1, 753 f./Allen, ep. 1503.

95 See Erasmus of Rotterdam's letter to Duke George, Basel, December 12, 1524, ABKG, Vol. 1, 777–782/Allen, ep. 1526.

This is an indication of the limits of the collaboration between the two. Unlike Emser or Cochlaeus, Erasmus was at best a partner for Duke George, but never an employee. His perception of Luther was also more differentiated than the duke's, and he was skeptical about the effectiveness of anti-Lutheran polemic.[96] For his part, the prince showed himself to be a forceful organizer of anti-Lutheran propaganda, not shying away from Europe's most courted humanist. However, when it came to Erasmus, who was on the frontlines in the battle against Luther, George's tone was less aggressive, appealing more to his heartfelt concern for the interests of Christianity: "*Attamen si quis molestie inde tibi accessit, depone et animum meum, non verba explora, qui in hoc totus est inclinatus, ut bene reipublicae Christiane, nec facile potest ea, quae novant et invertunt bene constituta ferre.*"[97]

Aside from their differences, mutual respect was reflected in their ongoing correspondence. George's "chancellery shop" provided important support to Erasmus, especially in his public confrontation with Luther. It was only because he so quickly received Luther's long-expected answer, *De servo arbitrio,* (likely sent by the duke's chancellor Simon Pistoris) that he was able to write the first part of his response *Hyperaspistes diatribe* in time for the Frankfurt Fair.[98] As before, the prince saw to it that the "Defense to the Diatribe" was translated, printed and made available to the laity.[99]

Dresden's first printing house, the Emser Press, (named after its operator, not the printer) is another example of the close links between Catholic authors and the ducal court. While archival records about the press are poor, a quick glance at its printing program reveals how closely its establishment must have been linked to Duke George's church politics. The printing of territorial mandates, an official assignment which would have earlier gone to Lotter in Leipzig, secured a financial basis for the Dresden printing house. Along with many tracts from Albertine theologians such as Emser, Sylvius, Bachmann, Alveldt and Wulffer, the Emser Press also featured foreign authors. A text by the English bishop John Fisher and edited by Emser was published in 1525.[100] Emser also arranged for the printing of an anti-Lutheran tract written in Latin

96 See e.g. the letter to id. from id., Basel, September 21, [1524], ABKG, Vol. 1, 745 f./Allen, ep. 1499 and Hieronymus Emser's letter to Erasmus of Rotterdam, Dresden, February 16, 1525, ABKG, Vol. 2, 43 f./Allen, ep. 1551.

97 Duke George's letter to Erasmus of Rotterdam, Dresden, February 13, 1525, ABKG, Vol. 2, 39–41/Allen, ep. 1550.

98 See *Collected Works of Erasmus*, Vol. 12, 36–40, 81, n 9.

99 See above, n. 21. The title of Emser's translation that was published in Leipzig in 1526 is "Schirm und schutzbuchlein der Diatribe." See ABKG, Vol. 2, 528, n. 1.

100 See John Fisher, *Was die christelichen alten von der beycht haben gehalten* [...], Dresden: Emser Press 1525 (VD 16, F 1225). About Emser's role, see Clemen, "Rothschitz."

by the Polish bishop Andrzej Krsycki and another by the Italian theologian Lanceloto Politi. The outstanding Catholic press was also used by other princes. This was the case with a translation of Erasmus's *Paraphrase of the Gospel According to St John*, which was published by Michael Risch, a vicar from Pirna, and commissioned by Cardinal Albrecht.[101]

Other projects from the Emser Press were meant to inform the Reformation public about current political developments. Apart from many broadsheets of territorial mandates, one should look at three short pamphlets published in the summer of 1524 intended for the book market. The first contained the Edict of Worms as recently confirmed at the Diet of Nuremberg, and the second related the results of the princes' conference at Regensburg. The third included both of these texts and was supplemented by the Nuremberg publications mandate regarding the edict, and the corresponding implementation mandate of July 20, 1524 by Duke George.[102]

Together, the pamphlets document the anti-Lutheran legislation of Catholic princes across the empire. The timing of their release coincided with George's major campaign to publish the Edict of Worms in Albertine Saxony and added impetus to his battle against the Evangelical movement.[103] Luther was disgruntled by the publishing offensive, and in the fall he released his own derisive commentary against the mandates.[104]

Perhaps the most interesting aspect of Albertine book production was its positive presentation of Catholic doctrine. The pamphlets not only sought to point out Luther's fallacies, they were also intended to attract laymen to the proper teachings of the church. This was especially so in the writing of Petrus Sylvius. A good example can be found in his first printed tract, *Eyne verklerunge des eynigen waren apostolischen christlichen gloubens* ["An Explanation of the One True Apostolic Christian Faith"] from 1525.[105] Aside from a few negative comments about the Lutherans, the piece is notable for its moderate language and catechistic approach, an interpretation of the Apostolic Creed meant for the laity. The author addresses this right at the beginning of the tract: "To all

101 See Aurich, 93–106.—Emser speaks of this edition in a letter to Erasmus, but without referring to a commission by Cardinal Albrecht. See Hieronymus Emser's letter to Erasmus of Rotterdam, Dresden, February 16, 1525, ABKG, Vol. 2, 43 f./Allen, ep. 1551.

102 See Aurich, 48–51 (Nr. 6–8).

103 For context, see ch. 18, section 3.

104 See Aurich, 93 f.

105 Petrus Sylvius, *Eyne verklerunge des eynigen waren apostolischen christlichen gloubens und lere zu erkennen und tzu vermeyden allen vertumlichen irthum, tzwytracht, kettzerey und ungloben der werlt* [...], Dresden: Emser Press, 1525 (VD 16 P 1303).

who now wish to know the correct and true faith of the living holy Christ—the only way you may attain salvation—I, Master Petrus Sylvius, an Evangelical Christian priest offer you God's grace, consolation, help, and salvation." Sylvius presents his interpretation of the Apostolic Creed in twelve chapters that correspond to the sections of the *Apostolicum*. The self-proclaimed "evangelical" priest Sylvius makes a clever attempt to meet the new sophistication of the lay public by inserting many written quotes into his catechism. At the same time, he confidently asserts his loyalty to the traditional church. Sylvius expressly points to the church's censorship to confirm his orthodoxy, "[…] thoroughly examined and approved by the requisite ordinaries and doctors of theology."[106]

A far more ambitious project was the attempt to counter Luther's "most influential work,"[107] the German translation of the Bible, with something of equal substance. When Luther's September Testament appeared in 1522, Duke George banned it immediately.[108] Foreseeably, the reformer accused the duke of trying to suppress the Holy Gospel.[109] George responded by commissioning Emser to write a critique of the Luther translation. Although Emser's piece was completed in 1523,[110] the duke was not yet finished with the topic of a German Bible. The influence of Luther's New Testament in winning over the laity was probably the key motivation for George's subsequent decision to translate and print a traditional Catholic Bible. Emser was once more called upon for the assignment. Instead of a new translation, however, his task was to emend Luther's version.[111] This stipulation followed the 1522 mandate in which Duke George specified that the Bible translation as such did not warrant a

106 Ibid., fol. A Ir–v, D IIIv.

107 Edwards, *Printing*, 12.

108 See below, section 2.

109 See Martin Luther, *Von weltlicher Obrigkeit, wie weit man ihr Gehorsam schuldig sei* (1523), WA, Vol. 11, 245–281, here 267.

110 See Hieronymus Emser, *Auß was grund vnnd vrsach Luthers dolmatschung vber das nawe testament dem gemeinen man billich vorbotten worden sey*, Leipzig: Wolfgang Stöckel, 1523 (VD 16 E 1089).

111 See Duke George's foreword to Hieronymus Emser's edition of the New Testament, Dresden, August 1, 1527, ABKG, Vol. 2, 775–780.—Emser followed the orders of his patron. Some 1,400 corrections that he applied to Luther's September Testament were mostly made to the annotations. In the text itself, he only changed those passages where Luther diverged from the meaning of the traditional Vulgate, referring to a new edition with a critique by Erasmus. Emser's orientation on the Vulgate gave priority to Catholic tradition over humanistic opinion. The result was an edition by Emser that almost completely reproduced Luther's text. Even some of Cranach's images were purchased from Wittenberg,

prohibition, but Luther's heretical annotations and images did.[112] It first became clear through Emser's version that Luther had also diverted textually from the traditional Latin Vulgate.

With Emser's New Testament, the duke presented nothing less than a direct challenge to Luther's position as interpreter of the Gospel. George himself wrote the foreword to the first and most influential Catholic Bible for the laity during the Reformation. He begins by accusing Luther of "falsely [...] adding in many places heretical and poisoned comments, and omitting several books [...] in order to cloak his plans and unholy teachings in a pretense of the Gospel and the Word of God; and to authorize them and to better disseminate them among the people [...] thus deceiving and seducing simple pious folk." Therefore, by banning Luther's Bible, Duke George was fulfilling his patriarchal duty to take care "with kind and fatherly intentions [...] that his good and loyal subjects avoid punishment as well as harm to their body and soul." And now, he wished to bring them the true Word of God, "so that no one may go and complain that anyone has withheld or refused them the Gospel or Word of God."[113]

It is an indication of George's self-confidence as a layman and secular prince that he used the Holy Scripture itself in his propaganda against the Reformation. As shown by the mandate of 1522, clerical scruples were alien to Duke George, such as those expressed by Emser at the end of his edition with regard to laymen reading the Bible.[114] Instead, with the assurance that this would fulfill his wishes and elicit his mercy, the duke expressly encouraged his subjects to read the New Testament and harvest its fruits for their salvation.[115]

Despite Luther's harsh accusation in his *Open Letter on Translating*, that the "degenerates in Dresden" had plagiarized him, Emser's Testament was a publishing success.[116] It soon sold out, and a second edition was printed by Valentin Schumann in Leipzig the following year, this time in octavo format.[117] To reduce the printer's risks, an exorbitant fine of 200 florins was imposed by

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purged of Lutheran iconography and re-used. See Kawerau, 58–74; Smolinsky, *Alveldt und Emser*, 324–328.

112 See below, section 2.

113 George's foreword to the New Testament, 1527 (like n. 111), 775, 780.

114 See Kawerau, 71. For context, see Schreiner, "Laienbildung."

115 "We do this so that our subjects will dutifully take and read this worthy New Testament and true Word of God; that it will be appreciated by many and recognized in its grace and all its goodness; and it is our hope that it will be of great use with piety for the blessedness of your souls." George's foreword to the New Testament, 1527 (like n. 111), 780.

116 See Kawerau, 72–74.

117 See Duke George's privilege for the second edition of Hieronymus Emser's New Testament, Dresden, January 25, 1528, ABKG, ms. Werl, no. 1536.

Duke George against illicit reprints.[118] During the course of the century, forty-three editions of Emser's New Testament were published, an indication of the heavy demand for Catholic Bibles. In remaining very true to Luther's translation, however, Emser's edition offered the most influential German book of the modern age to a readership beyond the Evangelical camp.[119]

1.6 *How Successful was the Catholic Propaganda?*

There is no quick answer as to just how successful the duke's propaganda politics were. Certainly, the number of Catholic pamphlets produced in Saxony was substantial, even when compared to Evangelical tracts. However, it remains unclear whether they met a similar demand or not. Instead, we find reports of pre-financing and excess pamphlets being given away. When combined with the complaint by Leipzig's printers that the laity's interest in Catholic tracts was wanting, the difficulties of Luther's opponents become clear. How were they to reach the public with their message, even under Duke George's advantageous conditions for producing propaganda?

Regardless of the uncertain influence on public opinion, the historical significance of Albertine propaganda was its continuous, coordinated, technically proficient and competitive response to the new teachings from Wittenberg. On the other side, this underscores the notion that it was the content of Luther's message, and not some technical advantage, which determined Evangelical dominance of the media. By comparison, it would be idle speculation to estimate the degree to which the relative weakness of the Evangelical movement in Saxony or the Catholic resistance to the Reformation after Duke George's death might have been a result of Albertine pamphlets.

In any case, Duke George's propaganda was a force to be reckoned with. Luther considered it potent enough for him to continually take time to confront his adversaries in Dresden and Leipzig. And he was not alone. Lazarus Spengler also observed that the authors at "George's chancellery shop" knew their business and were apt to reach out to the laity. His commentary about Georg Witzel's pamphlets is particularly revealing. Frustrated, Spengler claimed that Witzel's argument was "so deceitful to the common, uninformed man [...] that it created much doubt among the simple folk." According to Spengler's report, both Lutherans and Catholics alike as far away as Nuremberg were receiving pamphlets produced in Leipzig, an important indication of the reach of Albertine propaganda.[120]

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118 See ibid.; George's foreword to the New Testament, 1527 (like n. 111).

119 See Volz, *Deutsche Bibel*, 18.

120 Lazarus Spengler's letter to Veit Dietrich, Nuremberg, February 8, 1534, ABKG, ms. Werl, no. 2705.

In this context, one must note that Duke George was actively engaged in supporting and directing how the propaganda under his patronage was distributed. This was especially evident in the case of the Pack affair. George had the pamphlet *Welcher Gestalt* printed in a very large edition of 8,000 copies. Some were sent to the estates of the empire as well as influential disseminators such as Fugger with an added request for further distribution, re-printing and public posting. This was actually carried out to some extent.[121] There had been a similar empire-wide campaign for the canonization of Benno of Meissen in 1524. It was so intensively promoted that Luther felt compelled to write a tract in opposition.[122]

Finally, the controversy between Bernd Moeller and Bob Scribner has made us aware of the fact that pamphlets were not the only medium used to reach out to the Reformation public. Book historians such as Hans-Joachim Köhler and Mark U. Edwards have observed a two-stage model that combined book printing and oral transmission into a *single* communication process. According to this, the most important recipients of printed tracts were those well-educated disseminators who distributed new content by means of oral mass communication such as preaching.[123] Duke George's church politics show that contemporaries were well aware of this relationship. As presented in the previous chapter, his ban on Evangelical preaching was just as important as his support for spreading the Catholic message.[124]

A report on reform by Johannes Cochlaeus that was submitted to Pope Clement VII in 1524 can help us to assess the modernity of Albertine propaganda. With regard to the public controversy in the empire, Cochlaeus, then still dean at Frankfurt, recommended a publishing campaign with a twofold strategy. The first was to be the printing of anti-Lutheran pamphlets refuting false Evangelical teachings, followed by devotional books and catechisms written in the vernacular to convey a positive image of Catholic doctrine. Furthermore, he demanded that the bishops impose meaningful censorship on Luther and provide financial support to Catholic authors.[125] When one compares Cochlaeus's theory with the reality of Albertine Saxony, there can be little doubt that Duke George's Catholic politics were state-of-the-art.

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121 See Becker, 230 f., 239–243.

122 See Volkmar, *Heiligenerhebung Bennos*, 101–110.

123 See Köhler, "Meinungsprofil," 244–248 (with summary of the Moeller-Scribner controversy); id., "Fragestellungen"; Edwards, *Printing*, 37.

124 See ch. 22.

125 See Bäumer, 26 f., 121.

2 Censorship

2.1 *Rise and Fall of Protestant Printing in Leipzig*

The Reformation public and censorship—at first glance this seems like a contradiction. The feebleness of official regulation was a prerequisite for the success of the early Reformation; however, this freedom from censorship was not a given from the beginning, but was rather a triumph of public interest. It was made possible by the weakness of ecclesiastical institutions as well as a lack of commitment by secular officials to enforce existing censorship rules. The wide dissemination of the printing industry and the political fragmentation in the empire supported the success of market forces.[126] Realities within the Reformation public stood in obvious contradiction to the legal precepts set by the Edict of Worms in 1521. This most prominent among German history's ineffective laws contained extensive censorship provisions. Written by the papal nuncio Aleander and based on the excommunication bull against Luther, the edict prohibited the possession and distribution of Luther's writings (retroactive censorship). The local bishops (who were to consult theological faculties), were asked to enforce pre-censorship of any new book before printing. Secular authority was expected to enforce retroactive censorship, especially "Luther's clearly poisoned writings and books."[127]

While the Edict of Worms was only half-heartedly enforced by the imperial estates, if at all, the situation was once again quite different in Albertine Saxony. Duke George asserted active censorship politics that had decisive consequences for his subjects. Nothing illustrates this better than the case of Leipzig. Here, at the heart of the Albertine printing industry, which until 1520 was the most important source for Luther's books next to Wittenberg, not a single piece of

126 See Pettegree/Hall; and cf. Press, "Reformatorische Bewegung," about the influence of German political landscape on the scattered response to Luther.

127 See Emperor Karl V's Edict of Worms, May 8, 1521, RTA, JR, Vol. 2, 640–659, here 655–658; Kohnle, "Wormser Edikt," 288 f.; Hasse, 24. Hasse suggests that the "ordinarien" empowered by the edict with preemptive censoring were not the bishops, but secular authorities. But this is unconvincing, since the Edict itself differentiates between these ordinaries and those "with authority and judicial powers" who had the power to censor retroactively. It is also difficult to believe that Aleander, as the author of the Edict, would have tried to undermine the church's right to pre-censorship (see also n. 129).—The enforcement of pre-censorship by the bishop of Merseburg is well documented, in part directly referring to the Edict of Worms. See the Leipzig city council's letter to Bishop Adolf of Merseburg [Leipzig] September 12, 1524, ABKG, Vol. 1, 737; Abbot Simon Blick of Pegau's letter to id., Pegau, January 31, 1525, ibid., Vol. 2, 25. See also above, p. 580 f., about Petrus Sylvius.

writing by the reformer could be published after 1521.[128] However, under closer scrutiny, the connection between this situation and the Edict of Worms proves to be a superficial one, despite the coincidence in timing.

George's familiarity with censorship is another element of his politics based on his pre-Reformation experience. While censorship was still considered a prerogative of ecclesiastical officials,[129] Duke George was already actively working on banning books in cooperation with the bishop of Merseburg as early as 1492.[130] This collaboration continued into the Reformation. Despite their differences regarding the planned Leipzig disputation, Bishop Adolph suggested that the duke put a halt to the zealous printing of Luther's works in Leipzig. He was to order the printers "not to print anything that has not been previously and thoroughly vetted by the doctors of theology assigned by his grace."[131] At that time in early 1519, however, Duke George was still ambivalent toward Luther, and disappointed in Leipzig's theologians for their opposition to the disputation; therefore, he was not yet prepared to take such a step.[132]

Soon, however, he changed his mind. After fully breaking with Luther at the end of 1519, the first and highest priority of his church politics was to limit the Wittenberger's public influence. In collaboration once again with the bishops, the first prohibition on Luther's writings was instituted in 1520. On January 24, the bishop of Meissen ordered the confiscation of all copies of Luther's *Sermon on the Eucharist*,[133] while Duke George simultaneously placed a ban on its re-printing in Leipzig.[134] Because there was no prohibition by the bishop

128 See above, section 1.

129 Introduced in 1501, the pre-censorship of all theological writings by local bishops in German church provinces was confirmed by the Fifth Lateran Council. About censorship in the European context, see Pettegree/Hall; Higman. – First introduced in 1496, the imperial censorship that banned Reuchlin's writings in 1512 had no noticeable influence in Saxony. See Hasse, 24 f.; Eisenhardt; about the Reuchlin-Pfefferkorn dispute, see Meuthen, "Epistolae obscurorum."

130 See p. 427.

131 Bishop Adolf of Merseburg's letter to Duke George, Merseburg, January 11, 1519, ABKG, Vol. 1, 54 f.

132 See Duke George's letter to Bishop Adolf of Merseburg, Dresden, January 17, 1519, ibid., 60–62.

133 See p. 475–478.—In doing so, the bishop referred to the censorship provisions of the recently concluded Fifth Lateran Council. See Lobeck, 58, n. 92.

134 This is how George's comment may be understood: "And while this tract was not printed in Leipzig, we have nonetheless ordered accordingly, as to avert any further problems." Duke George's letter to Bishop Adolf of Merseburg, Dresden, January 13, 1520, ABKG, Vol. 1, 115 f.

of Merseburg, there was an appearance of disunity. That fall, the duke held discussions with the bishops on what action to take regarding Luther's *Letter to the Christian Nobility*.[135] By 1520, even before Luther was finally excommunicated, Duke George had planned to prohibit any reprints in Leipzig.[136]

With business concerns in mind, however, the Leipzig printers were less inclined toward obedience. Each of the two cited tracts was re-printed by both Valentin Schumann and Wolfgang Stőckel, although it's unclear whether the Leipzig editions of the *Letter to the Christian Nobility* appeared before or after the duke's prohibition.[137] Soon it became painfully clear to Leipzig's printers that they were no longer free to follow the market forces of the Reformation public. Under direct orders from the duke, Valentin Schumann and his journeyman were arrested in February 1521 along with the unofficial court printer Melchior Lotter the Elder (Luther's publisher) for printing Luther-friendly tracts.[138] Although these were not actually works written by Luther himself, they were nonetheless considered undesirable, since they were indicative of the approval Luther enjoyed in Albertine Leipzig.

Lotter had printed a defense of Luther by Johann Cellarius, the first Hebrew scholar to hold a position at the University of Leipzig.[139] Schumann, on the other hand, was blamed for the above-mentioned letter in which twenty young men from the nobility (probably Leipzig students) declared a feud with Hieronymus Emser for his written attacks on Luther.[140] George was deeply offended by the pamphlet against his court chaplain, especially because it was actually directed against his own church politics. The students were even so bold as to pin it to the pulpit at St Thomas's church, which might have caused the duke unpleasant memories of the defamatory campaign by Leipzig's Franciscan Observants in 1498.[141] Duke George ordered severe measures against

135 See Bishop Johann VII of Meissen's letter to Duke George, Stolpen, September 6, 1520, ibid., 132.

136 "I also wish very much [...] that soon nothing more comes out of Leipzig [...] and I order that nothing more should be printed in my land." Duke George's letter [to Dr. Johannes Hennig in Rome, October 10–15, 1520], ibid., 138 f.

137 About this sermon, see p. 463–466 and 473–475; about the *Letter to the Christian Nobility*, see Claus, *Untersuchungen*, Vol. 1, 75.

138 See Cäsar Pflug's letter to Chancellor Kochel in Leipzig, [Dresden], January 29, 1521, ABKG, Vol. 1, 149; Duke Friedrich the Younger's letter to Duke George and the Leipzig city council, Dresden, February 9 and 14, 1521, ibid., 154 f.

139 See ibid., 157, n. 1; about Lotter's identity as a printer, see Claus, *Untersuchungen*, Vol. 1, 48 f.

140 See the feud letter, early 1521 (like n. 54). See also Kawerau, 34.

141 See ch. 10, section 3, and ch. 13, section 4.

the perpetrators, of whom only the printer could be found.[142] After months in prison and many petitions, including from Emser himself, Schumann was eventually released. Although Melchior Lotter got off with a short prison term, he also had to appear before the bishop of Merseburg to atone for his censorship violation.[143]

Thus, well before the Edict of Worms took effect as imperial law, Leipzig's printers felt the severity of the prince's censorship politics first hand. More than anything, even more than the Edict of Worms, which was not published in Saxony until 1524,[144] it was Duke George's demonstration of power that put an end to Lutheran printing in Leipzig. Subsequently, the edict was only occasionally given as a justification for George's censorship politics. Although no reference was made in a decree to the city of Delitzsch,[145] the duke ordered that both the papal excommunication bull and the Edict of Worms would be equally applicable in his first religion mandate of February 10, 1522, "that one should abstain from reading any of his [Luther's] writings, and these should no longer be printed."[146]

Since the Edict of Worms and Duke George's censorship provisions had the same goals, to differentiate between them may seem pointless. In evaluating territorial politics, however, it is important to note that the duke invoked his own authority against Luther and was not simply an executor of imperial laws.[147] If there was an outside influence on George's actions against the Leipzig printers, it would have been the papal excommunication bull. Therein was the clear prohibition against Luther's writings that was taken up by the Edict of Worms. Once the deadline for recall by the Saxon bishops had passed, the execution of the bull coincided with the arrest of Schumann and Lotter. Adolf of Merseburg was in close contact with the duke's advisors on this issue and other censorship matters. Ultimately, the execution of the bull reached its symbolic climax with the burning of some of Luther's books.[148]

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142 See Duke George's letter to Friedrich the Younger and the Dresden city council, 1521 (like n. 56).

143 See Duke Friedrich the Younger's letter to Duke George, Dresden, March 4, 1521, ABKG, Vol. 1, 155–158, about Emser's petition, ibid., 156, n. 2; letter from the Dukes Johann the Younger and Friedrich the Younger to the Leipzig city council, Dresden, April 6 and 25, 1521, ibid., 162 f.; Claus, *Untersuchungen*, Vol. 1, 47–50.

144 See ch. 18, section 2.

145 See Duke George's letter to the Delitzsch city council, Schellenberg, December 21, 1521, ABKG, Vol. 1, 231.

146 See Duke George's printed mandate, Nuremberg, February 10, 1522, ibid., 269–271.

147 See ch. 18, section 2.

148 See p. 475–478 and the following.

In this climate, the Leipzig printers began to fear that their livelihoods were threatened by Duke George's severe measures. The previously flourishing book production quantitatively declined after 1521, and Catholic controversial literature could not compensate for the ban on Lutheran pamphlets.[149] Convinced that the prince would never again allow Evangelical tracts to be printed in his land, several printers opened branches in Ernestine territory. By 1519, Melchior Lotter had set up a printing house in Wittenberg at Luther's request. Then Valentin Schumann tried his luck in Grimma in 1522, and Wolfgang Stőckel in Eilenburg in 1523. Thomas Müntzer's briefly active press in Allstedt (1524) used press-type letters from Stöckel's shop.[150] In 1523, Schumann even requested permission from the Leipzig city council to open a workshop in Wittenberg without giving up his burgher's rights in Leipzig. However, Duke George quashed the request, admonishing Schumann that he could print "respectable works" in Leipzig just as well.[151]

George maintained close vigilance over his printing ban. In 1524 he followed a lead that a sermon given in Allstedt by Simon Haferitz had been printed in Leipzig. Testimony before the Leipzig city council revealed that the printers were walking a fine line between obedience to the law and following their business sense. The pamphlet had been printed with press-type pieces belonging to Wolfgang Stőckel, although these had formally been in the possession of a new printing house in Eilenburg run by Stőckel's son Jakob along with Nikolaus Wiedemar. The Leipzig printers' complaints to George about their pending economic ruin fell on deaf ears.[152] University printing, territorial mandates and the many (sometimes) pre-paid Catholic propaganda pieces kept the Leipzig printers from going under in the following years. However, they would never again be as well off as their colleagues in Wittenberg.[153]

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149 See Claus, *Untersuchungen*, Vol. 1, 86–89.

150 See Claus, *Druckschaffen*, 11; id., *Untersuchungen*, Vol. 1, 75–154.

151 See Duke George's letter to the Leipzig city council, Dresden, April 11, 1523, ABKG, Vol. 1, 493 f.

152 See the quote in n. 42. – The previous year, Nikolaus Wiedemar had served in Grimma as a manager for Valentin Schumann. See Claus, *Druckschaffen*, 11.

153 See Claus, *Untersuchungen*, Vol. 1, 75–154; About Luther's economic significance for Wittenberg's printers see Pettegree, *Books*, 111–116; id., *Culture of Persuasion*, 128–155.—In 1525, a new printer, Michael Blum, once again attempted to print Evangelical tracts in Leipzig, which he published anonymously. However, he was soon hit with the full force of the censorship authorities. In late 1525, he was arrested by the Leipzig city council and was not released until the submission of a petition to Duke George. After imprisonment, he modified his risky business model. He asked his intermediary, the Zwickau schoolmaster Stephan Roth, for moderate tracts that were not so obviously Evangelical.

2.2 *Controlling the Book Trade*

Taking action against the trade in Protestant books was considerably more difficult than overseeing local printing. The degree to which it could be suppressed through bans and sanctions is difficult to gauge. In any case, keeping controls of the book business was a constant challenge, not least because it was mostly conducted by flying stationers and itinerant peddlers.[154] The enormous number of books traded on the Leipzig fair, mostly wholesale, made surveillance even more difficult. Ever since Leipzig had obtained imperial privileges for its trade fair in 1497, it increasingly gained nationwide relevance.[155]

In 1521, the bishop of Merseburg demanded that the duke's city governors enforce appropriate prohibitions since "booklets and tracts by Martin are still being printed and sold by Lotter every day in Leipzig, which is against the papal bull and commandments, and which I'm quite sure would not please Duke George."[156] Strong action by the Leipzig city council against the flying stationers first became noticeable at the St Michael's market in 1521. Here, it was assumed that Lutheran tracts were only sold "under the table."[157] The complaints

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As he claimed to have "no knowledge of the content of these booklets," he was dependent on Roth to send him books with no "insulting words" or arguments promoting changes to religious rites. In 1527, however, he made a very grave mistake by printing the tract entitled *Von der neuen Wandlung* ("About the New Transformation") that was commissioned by the Nuremberg flying stationer Hans Hergot. While Hergot was executed, Blum had to leave the city for two years. He returned to his profession in 1530, but thereafter printed only Catholic literature. See Claus, *Untersuchungen*, Vol. 1, 124–130, also the quote found there.

154 See Edwards, *Printing*, 15f.

155 See the articles in Zwahr/Topfstedt/Bentele; Steinführer, *Leipziger Ratsbücher*, half-vol. 1, XIII. About the role of the Frankfurt and Leipzig book fairs in relation to book production, see Fried.

156 Adolf of Merseburg's letter to Cäsar Pflug, Merseburg, January 17, 1521, ABKG, Vol. 1, 147 f.

157 Evidence of this is provided by the case of the flying stationer Peter Hesseler from Mücheln. In Leipzig, he sold *Determinatio secunda*, a Latin satire about the Sorbonne judgment of Luther, which also ridiculed Duke George. (See ABKG, Vol. 1, 197, n. 2; Claus, *Untersuchungen*, Vol. 1, 50 f.). The city council took note of the work's polemic content, informed Duke George, and interrogated the salesman at the town hall. Hesseler testified that he "currently travels back and forth to earn a living from the books he carries around his neck." In his defense, he denied using his wife to secretly offer the book for sale. Instead, he claimed that the illicit content was "unknown to me […] since I am uneducated and do not understand Latin." After the council had confiscated the unsold copies, Hesseler was freed on condition that he voluntarily report to the council at the next New Year's market. (Letter from the Leipzig city council to Duke George, [Leipzig] October 13, 1521, ABKG, Vol. 1, 197 f.). – In Dresden in 1521, two flying stationers (Andreas Reyßner from

made by Leipzig's printers also confirm the fact that Lutheran books "were secretly distributed among the people."[158] Duke George made further limitations on trade with Wittenberg in 1521 by strictly warning the city of Delitzsch against printing or trading books by Luther, Hutten or Karlstadt or any other books without episcopal permission.[159]

Sanctions in Leipzig reached a tragic climax in 1527 when Hans Hergot, a flying stationer from Nuremberg, was executed at the market place for dealing in Anabaptist and chiliastic pamphlets. The rare imposition of the death penalty was not for heresy, but for insurrection. Of all people, it was the Lutheran prince Johann the Elder who had informed Albertine officials about the "rebellion-inciting booklet."[160] In 1528, the Leipzig city council confiscated the inventory of three stationers from Wittenberg who were storing "books in their rooms that are completely forbidden here." In their defense, the Wittenberg book merchants claimed to be doing nothing different than their Leipzig colleagues. This was refuted by the council, since "all storage spaces and bookshops" had been searched, and all summoned printers and stationers in Leipzig had sworn that they neither printed nor sold Lutheran books. When the Wittenberg city council supported the arrested stationers with efforts to release their books for the upcoming Frankfurt book fair, the Leipzig council referred the case to Duke George for judgment.[161] Nonetheless, Martin Luther continued to time the release of his books to the dates for Leipzig's fairs, which remained vital for the retail of Evangelical literature.[162] This does not mean, however, that Luther's

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Naumburg and Lorenz Trosche from Erfurt) were also arrested for selling Lutheran tracts. See Butte, 190 f.

158 Letter from the Leipzig city council to Duke George, [Leipzig] April 7, 1524, ibid., 640–644.

159 Delitzsch was the largest Albertine town between Leipzig and Wittenberg, but it was not on the major trade route that ran through Düben to Wittenberg and further to the Baltic Sea. George may have assumed that the Wittenberg stationers were using the bypass via Delitzsch in order to remain undetected. See Duke George's letter to the Delitzsch city council, Schellenberg, December 21, 1521, ABKG, Vol. 1, 231; About the trade routes in Central Germany in the early sixteenth century, see Straube.

160 Duke George's letter to Elector Johann, Grossenhain, April 2, 1527, ibid., Vol. 2, 741 f. See also Hoyer, "Hinrichtung."

161 Letter from the Leipzig city council to Duke George, [Leipzig] March 18, 1528, Seidemann, "Leipziger Buchdrucker," 266 f. To secure evidence, the Leipzig city council had a copy of each suspicious tract analyzed and categorized by the Dominican Provincial Hermann Rab and the preacher at St Thomas's church. See ibid.

162 Just for Luther's pamphlets that targeted Duke George, it is possible to pinpoint two cases where the publishing dates were oriented on Leipzig markets, specifically the New Year's market of 1529 and the Easter book fair of 1531. See Becker, 231, 258.

tracts were on offer to the general public. Apparently, the Leipzig book fairs conducted primarily wholesale business where large lots of printed material from Wittenberg and Erfurt were secretly sold to flying stationers for distribution throughout the empire.[163]

2.3 *Keeping an Eye on the Subjects*

The Albertine government made especially ambitious attempts to prevent its subjects from possessing Lutheran writings and to ban his ideas from the territory. However, it was unlikely to be completely successful, since there were always clandestine supporters of Luther. One must also keep in mind that not every person in possession of Lutheran tracts embraced the Reformation. Today, several volumes of pamphlets from the 1520s still exist in Leipzig's University Library that were assiduously collected by Hermann Rab, the Dominican Provincial and dedicated Luther foe. They were used to document the history of the controversy to assist Rab's convent in formulating Catholic propaganda.[164] Out of necessity, the Albertine controversial writers owned copies of their adversary's writings, and even Duke George frequently provided copies of offensive tracts to his allies.[165]

The bishop of Merseburg's visitation report of 1524 yields some insight into the ownership of Lutheran publications. Despite—or perhaps because of—the bishop only investigating clergymen, he usually found what he was looking for. In Leipzig, Lutheran books were owned by the choir master at St Thomas's church and by a master at the university. In Rochlitz, a vicar admitted to "buying and reading many Lutheran books in spite of the prohibitions by the pope,

163 Evidence for such business practices is found in a letter from the Leipzig city council citing the confiscation of wares from several flying salesmen from Wittenberg and Erfurt, who "possessed significant numbers of Martin's publications: devotional books, Testaments, cathecism books, and many psalters." The council stressed that these were found exclusively in large quantities for sale to other stationers. See the Leipzig city council's letter to Duke George, [Leipzig] January 4, 1531, ABKG, ms. Werl, no. 2093.

164 See e.g. Universitätsbibliothek Leipzig, Kirchg. 966. About this collection, see Alschner, 131–171.

165 For example, in 1523, Hieronymus Emser acknowledged receipt of a copy of the confiscated September Testament from the bailiff of Meissen. This was apparently the copy he used as a basis for his edition of the New Testament. See Wolf von Schönberg's letter to Duke George, January 27 1523, ABKG, Vol. 1, 452 f. – In 1519–20, Duke George also sent copies of Luther's *Sermon on the Blessed Sacrament of the Holy and True Body of Christ* to the bishops of Meissen and Merseburg. See Duke George's letters [to Bishop Johann VII of Meissen and Bishop Adolf of Merseburg, Dresden], December 27, 1519, ibid., 111 f.; letter from Bishop Adolf of Merseburg, Dresden, January 13, 1520, ibid., 115 f.

the emperor and Duke George." The parish priest at Penig also possessed Evangelical tracts while the preacher at St Otto's church in Pegau conveyed how many books he owned by citing their purchase price: "Lutheran books for approximately eight florins;" this implied several thick volumes of folio.[166] With backing from the Duke's authority, the bishop forced all delinquents to give up their printed works. Only the priest from Penig claimed to have used "such books for no other purpose than to learn about Luther's errors" while hinting at his poverty by mentioning his costs.[167] In future, if the clergy wished to keep up with Luther's teachings, they would have to learn about them from Catholic publications.

After the papal ban on Luther's writings, the bishop of Merseburg tried to convince citizens to hand over their Lutheran publications. He issued a mandate on January 16, 1521 "*per et prope civitatem nostrum Merssburg*," addressing the subjects of his secular domains. However, at a symbolic Lutheran book burning one week later, he had only three tracts to toss into the flames.[168] A year later, we see Adolf once again battling against Luther's doctrines in the classrooms of the University of Leipzig. After an extensive visitation of his alma mater, he released a mandate in cooperation with Duke George that forbade members of the university to teach Luther's ideas or own his books under threat of excommunication and expulsion from both the university and diocese.[169]

Duke George also embraced the papal and imperial bans on Luther's teachings in his religion mandate of February 10, 1522. He made great efforts to enforce it when Luther released his September Testament. Just a few weeks after Luther's translation appeared, George issued a prohibition mandate. The *Inscriptio* made it clear that the duke wished to address every single one of his subjects personally. Instead of the usual call on local authorities, the mandate

166 For a price comparison, one may use the cost of the September Testament with 224 folios, which according to the quoted information below (n. 177–179) varied between 15 and 36 Groschen, or .75 to 1.75 Rhenish florins. Hans Volz estimates a much lower price of .5 Gulden in Wittenberg. See Volz, "Wittenberger Bibeldruck," 19. The difference was likely due to high transport costs, if not an additional "risk fee."

167 Bishop Adolf of Merseburg's visitation report to Duke George [Merseburg, May 13, 1524], ABKG, Vol. 1, 666–671.

168 Bishop Adolf of Merseburg's mandate, Merseburg, January 16, 1521, Grundig/Klotzsch, Vol. 2, 309 f.; Notary document of id., Merseburg, January 23, 1521, ibid., 310 f.

169 See Bishop Adolf of Merseburg's letter to Duke George, Merseburg, December 29, 1522, ABKG, Vol. 1, 412; Duke George's letter to Bishop Adolf, Dresden, January 17, 1523, ibid., 436–438; a later translation of Adolf's mandate, which has not been preserved, ibid., 436, n. 2. See also Gess, "Leipzig und Wittenberg," 79.

appealed to "each and every one of our subjects and clients" regardless of their "estate, status or nature," a way of direct communication that was repeated in subsequent religion mandates.[170]

The duke gave a lengthy explanation as to why he took steps against Luther's translation. Using references to earlier German editions of both the Old and New Testaments, he discredited the argument that Luther had brought the neglected Gospel back to light. Contrary to frequent research claims, the translation itself was not at the heart of his disapproval. He was much more agitated about "scurrilous annotations in the margins in support of his teachings, which also feature many insulting images of his Holiness the pope." From the duke's point of view, Luther was not just making the Bible available to the laity, but using it to introduce his own teachings with notes and illustrations. Thus, the Book of Books was being converted into a propaganda piece.[171] It is notable that Duke George's mandate does not use the argument that the Holy Scripture should be reserved for educated theologians; rather, his mandate was a warning given by laymen to other laymen, with ecclesiastical authorities neither consulted beforehand, nor mentioned in the text.[172]

On this basis, and with reference to the papal and imperial bans, Duke George demanded that all copies of the September Testament be turned in to his officials. As an incentive, he promised to reimburse the expensive purchase price. All subjects who did not comply with the order by Christmas were threatened with severe punishment.[173] The Leipzig court printer Melchior Lotter the Elder had reason to be relieved that the duke remained unaware that the September Testament (with no printer's mark) had been produced in Lotter's Wittenberg print shop.[174] With the mandate came the usual request for Duke Heinrich and the bishops to take similar action.[175] The theological faculty at the University of Leipzig retroactively endorsed George's objections and announced a verdict on Luther's translation.[176]

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170 See Duke George's printed mandate, Dresden, July 20, 1524, ABKG, Vol. 1, 706 f.; Printed mandate from id., Dresden, September 9, 1524, loc. 14950, draft […], 1474–1525, fascicle "1524" (unpaginated).

171 See Edwards, *Printing*, 39, 167.

172 Duke George's printed mandate, Dresden, November 7, 1522, ABKG, Vol. 1, 386 f. For an illustration in the printed broadsheet, see Volz, *Deutsche Bibel*, 198.

173 See ibid.

174 See Volz, *Deutsche Bibel*, 94 f., 104; About Lotter, see Wustmann, "Bibeldrucker."

175 See Duke Heinrich's letter to Duke George, Freiberg, November 9, 1522, ABKG, Vol. 1, 387 f.; Duke George's letter [to the bishops of Meissen and Merseburg], Dresden, November 9, 1522, ibid., 387, n. 1.

176 Letter from the dean and doctors of theology in the University of Leipzig faculty to Duke George, Leipzig, January 6, 1523, ibid., 425 f.

Despite these efforts, success was limited. While Lutherans in the town of Műcheln secretly tore down the prohibitive mandate, books in Leipzig were being handed in by notables such as the jurist Georg von Breitenbach and the city's bailiff. In the end, only four copies were confiscated.[177] Meissen's bailiff also received only four copies of the September Testament that came from the cathedral clergy, including three canons. They claimed to have bought the books from a flying stationer near an inn just outside the Cathedral.[178] In Weissenfels, no books were surrendered, despite the escort master having posted the mandate and personally read it aloud to all noblemen and members of the city council.[179]

Although Duke George's initiative was not a complete failure, the absence of official reports from many locations can be taken as a further indication for its limited success. While the mandate did persuade a few possibly Lutheran craftsmen in Leipzig to turn in their Lutheran books,[180] the majority of those who followed the mandate seemed to be Catholics. It wasn't until 1529 that he tried another confiscation campaign, this time against an anonymously written pamphlet on the Zwinglian Communion.[181] Considering the abundance of Reformation pamphlets, this can be interpreted as an admission of failure. When an alarmed Bishop Adolf reported in 1524 that the well-known Lutheran sympathizer Heinrich Stromer von Auerbach possessed copies of all the publications by Luther and Melanchthon and was secretly disbursing them to citizens and students, no reaction was forthcoming from Dresden.[182] This signals a certain level of resignation with regard to the extent of the challenge—or was Stromer helped by his respected position as the prince's personal physician? Occasional checks by the authorities forced the owners of Lutheran pamphlets to remain secretive, but it was impossible to keep the new teachings out of Albertine Saxony.

177 See Duke George's letter to the Mücheln town council, Dresden, December 28, 1522, ibid., 406 f.; Georg von Wiedebach's letter to Duke George, Leipzig, January 19, 1523, ibid., 441–443.

178 Wolf von Schönberg's letter to Duke George, Meissen, January 27, 1523, ibid., 452 f.

179 Merten Channacher's letter to Duke George, [Weissenfels] February 9, 1523, ibid., 459 f.

180 See Georg von Wiedebach's letter to Duke George, January 19, 1523, ibid., 441–443.

181 See Duke George's printed mandate, Dresden, October 29, 1529, loc. 14954 mandate collection, fascicle "1529," unpaginated. In form and content, the mandate directed against the anonymous pamphlet *Warhafftig ursache das der leib Christi nicht in der creatur des broets, aber durchs wort Gottes im nachmael und hertzen der glaubigen sey* (1529) followed the example set by the September Testament ban.

182 See Bishop Adolf of Merseburg's letter to Duke George, Merseburg, May 13, 1524, ABKG, Vol. 1, 664–666.

2.4 *Summary: The Limits of Censorship*

Based on the papal excommunication and in close cooperation with episcopal officials, Duke George used censorship very early on as a tool in the struggle against Luther and the Evangelical movement. His pre-Reformation experiences with book printing and the public enabled censorship politics that exceeded even the Edict of Worms. Seeking to keep Lutheran ideas at bay, George attempted to obstruct the spread of the Evangelical message on all levels within his territory. This ranged from the production and sale of publications to the private possession of Lutheran books.

The level of success varied according to the limitations of pre-modern governance. Duke George was especially successful at controlling local printers. The results of his politics became apparent as Leipzig transformed from a stronghold of Lutheran printing in competition with Wittenberg into the Empire's center of controversial Catholic literature. As research into the history of printing suggests, this was a significant step, since the sixteenth century book market was based on local production and distribution, especially when it came to pamphlets.[183] Strict sanctions on printers combined with a ban on public sales of Lutheran texts limited access to the Evangelical message in Albertine Saxony.

All the same, Duke George was unable to effectively stop either the clandestine sales of Lutheran works by flying stationers or the private ownership of Lutheran tracts by his subjects. Recently discovered in the University of Leipzig library, a letter to a bookbinder in Meissen proves that in 1530 it was still possible to buy Luther's writings under the table in Albertine Saxony.[184] However, Duke George never considered imposing the draconian sanctions that were applied in Holland and France, such as the death penalty for illicit book ownership.[185] Although after 1521 Luther's writings might have been more difficult to obtain in Albertine Saxony than elsewhere in the empire, his ideas remained present.

183 See Pettegree/Hall; Edwards, *Printing*, 8 f.

184 However, it remains unclear whether the customer, a monk from the Altzelle monastery, bought the Lutheran tracts for his own edification or was acting on the orders of his abbot, Paul Bachmann, the anti-Lutheran publisher at the abbey. See Sebastian Daniels's letter to Master Georg, a bookbinder from Meissen, February 16, [1530], Universitätsbibliothek Leipzig, ms 1710v.

185 See Pettegree, *Books*, 117–121.

CHAPTER 24

Reform Instead of Reformation

> … since both Christian estates, the clerical and the secular, are in serious disorder, both ends are in need of a significant reformation. […] One hopes that if such a reformation propitiates God's wrath, his mercy will allow us to resist the Turks and all others who challenge the Christian faith.[1]

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1 Catholic Reform as a Strategy against the Reformation

At the close of the Middle Ages, three major synods shaped the development of the Roman Catholic Church: the Councils of Constance and Basel at the beginning of the fifteenth century, and the Council of Trent in the second half of the sixteenth century. Between the first two and the third, a disruptive event shook the Church to its foundations—the Reformation. The Reformation might have been a result of late medieval reform discussions, but it marked the dawn of a new age in church and society. In the eyes of many traditionalists, the radical nature of the Reformation disqualified it as a contribution to reform; the Evangelicals burned all bridges. What is more, the very idea of reform was cast into doubt. Many protagonists of Catholic reform in the sixteenth century were caught between two stools, most prominently the famous Erasmus.[2]

From this general point of view, Catholic reform in Albertine Saxony becomes even more remarkable. While Luther's proposal for a renewal was well-received throughout the empire, Duke George refused to accept the advocacy of Hussite doctrine as a legitimate position. Instead, the Reformation reinforced the duke's efforts toward a reform of the Catholic Church. Not only did he argue for its inception; he also established it as a pillar of his anti-Reformation politics.

1 Duke George's instructions for Dr. Otto Pack regarding the Diets of Augsburg and Speyer, Dresden, December 26, 1525, ABKG, Vol. 2, 461–471.

2 See Augustijn, "Stellung der Humanisten"; Seidel-Menchi. See also ch. 1.

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Church reform was meant as a positive answer to the questions raised by Luther.[3] Duke George was well aware of just how unhappy the laity was about clerical abuses. He also knew how to approach the problem politically, railing more than once against the clergy and demanding reform. The last sentence of his submission to the 1521 gravamina of Worms read, "Most damning to poor souls is the outrage caused by the clergy. It is therefore necessary that a general reformation take place."[4] The duke perceived Luther and the Evangelicals as devilish seducers who used the laity's desire for church reform to lead them astray under "the appearance of well-meant reform and improvement of abuses."[5]

To confront Luther, one could not ignore this logic. Catholic reform appeared to be the only means of keeping people from renouncing the traditional faith. It was Duke George's daily efforts against the Evangelical movement that shaped his perspective. However, Rome and the imperial court still were under the impression that they could control the terms and conditions. From their perspective, Church reform could only be negotiated after heresy was eradicated.[6] George, on the other hand, had learned early on that suppressing the Reformation would be impossible as long as important imperial estates humored Luther. This is why Duke George, struggling for the hearts of the laity and the loyalty of his subjects, intensified his efforts for Catholic reform. In 1526, Otto Pack, Albertine emissary to the Imperial Diet put it concisely: If the clergy's "abuses were removed, it would help foster obedience by the common man."[7]

As a strategy against the Reformation, Duke George's concept of Catholic reform did not address just the misdeeds of the clergy; the moral conduct of the laity was equally important. It needed to be immunized against the Reformation, which George felt played on people's basest instincts.[8] Ultimately,

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3 See ch. 16, section 3.

4 Duke George's complaints against the clergy at the Diet of Worms [early February 1521], ABKG, Vol. 1, 150–153 (= RTA, JR, Vol. 2, 662–666).

5 Duke George's foreword to Hieronymus Emser's edition of the New Testament, Dresden, August 1, 1527, ABKG, Vol. 2, 775–780; See also Duke George's letter [to Dr. Johannes Hennig in Rome, October 10–15, 1520], ibid., Vol. 1, 138 f.

6 See p. 185–189 and 475–478.

7 Dr. Otto Pack's letter to Duke George, Speyer, July 2, 1526, ABKG, Vol. 1, 565–569.

8 See e.g. Duke George's instructions to his representative at the first Diet of Nuremberg [Nuremberg, late March 1522], ibid., 298–300. Here, Luther's teachings are not only characterized as mistaken, but also as debauched ("liederlich"). Along with anti-Reformation measures, George advises a reform of the laity through admonishments from their preachers and adherence to processions and ceremonies. See also ch. 16, section 3.

the duke considered church reform and the fight against the Reformation to be linked on a metaphysical level. Lutheran heresy was an apocalyptic adversary, comparable to the Turks who threatened to overrun the Holy Roman Empire. As the scourge of God, they were empowered by the Almighty to punish sinful Christianity.[9] Without God's mercy, such diabolical forces could not be defeated. Thus, church reform became a decisive act in reorienting Christianity to God's Commandments in order to regain his grace. "One hopes that if such a reformation propitiates God's wrath, his mercy will allow us to resist the Turks and all others who challenge the Christian faith."[10]

2 Case Study: Catholic Reform of the Ecclesiastical Court System

The intensification of Catholic reform in the 1520s can be exemplified by the discussion regarding ecclesiastical jurisdiction. In the late medieval reform debates, the church's legal practices were commonplace. The laity expressed increasing discontent with ecclesiastical judges meddling in secular affairs and routinely exercising spiritual punishments such as excommunication and interdiction. Duke George joined that choir and attacked the "un-Christian burden" placed upon his subjects. Could the church still be seen as a vessel for salvation when an entire village was denied the Easter Communion just because its feudal lord had not paid off his private debts? In the eyes of the laity, church officials were carelessly tampering with the church's most holy duties.[11]

If one were to take the commoners criticisms of the church seriously, this would be a good place to start. Duke George saw this clearly and did not shy away from using the Reformation as further argument. Concerning the legal practices of Leipzig's archpriest, he complained in 1524 that it was unforgiveable "in this time of persecution by the church and clergy, that the Christian faithful are deprived of the Holy Sacrament because of money issues. It will lead to lasting anger in many people, who are yet persevering, when it comes

9 See George's instructions, March 1522 (like n. 8). See also the categorization of Evangelicals as the "new Mamalukes." Duke George's letter to Dukes Johann the Younger and Friedrich the Younger, Nuremberg, February 5, 1522, ABKG, Vol. 1, 264–268.

10 George's instructions, 1525 (like n. 1).—That "challengers to the Christian faith" actually means Evangelicals, is taken from a parallel formulation in an earlier instruction that refers to "evil Christians." "It should give comfort and a degree of hope that God the Almighty's mercy gives us strength and victory over the Turks and evil Christians." Instructions from id. for Dr. Dietrich von Werthern and Dr. Otto Pack at the second Diet of Nuremberg [Leipzig, August 27, 1522], ABKG, Vol. 1, 342–344.

11 See ch. 9.

to light that souls were not saved, but money was pursued instead."[12] George's bold criticism is a good example of how far the lay concepts of Christian morality had diverged from the principles of canon law. Formally, the ecclesiastical judge was correct to disallow five prostitutes from attending Easter Communion because they had not paid the yearly fines imposed due to their lifestyle. However, Duke George and the Leipzig city council found this form of financial bargaining with religious absolution to be scandalous. When the church was profiting from the immoral activities of whores instead of advising them to change their ways, "one should think long and hard whether or not this is Christian."[13]

This was how Duke George pushed for a new approach to the reform of ecclesiastical jurisdiction during the early part of the Reformation. The fundamental principles of the duke's politics had already been established in the pre-Reformation period.[14] In 1518 and 1521, he broached the topic at the Imperial Diets. In Augsburg, George called for a clear separation between ecclesiastical and secular legal spheres. He wanted it anchored "in imperial law" so that the activities of all courts would be confined to their jurisdictions. At Worms, he submitted a list of complaints about the legal practices of ecclesiastical courts for the *Gravamina nationis germanica*.[15] In the summer of 1521, when Cardinal Albrecht was dealing with the first Lutherans in his bishoprics, he sought assistance from the duke, who assured his support. At the same time, however, George also tried to satisfy the criticisms of the laity, who expressed "major complaints at the Diet of Worms [...] against the clergy and its officials." He strongly suggested negotiations to put an end to the abuses.[16]

It was not a coincidence that the duke's efforts picked up momentum in early 1522. Along with the religion mandate, which established a basis for attacking the Evangelical movement, Duke George also pushed for fundamental negotiations on ecclesiastical legal practices. In a letter sent to the bishops of Meissen, Merseburg, Naumburg, Magdeburg, Halberstadt and Mainz, George's sons, acting in their father's name, demanded an end to the use of

12 Duke George's letter to Bishop Adolf of Merseburg, Dresden, April 12, 1524, ABKG, Vol. 1, 650 f.

13 Letter from the Leipzig city council to Duke George, Leipzig, April 7, 1524, ibid., 640–644.—About the context of such complaints, see ch. 9.

14 See ibid.

15 Duke George's memorandum for Elector Friedrich [Augsburg, prior to September 6, 1518], ABKG, Vol. 1, 44.—See ch. 7, section 2.

16 Duke George's answer to an envoy from Cardinal Albrecht, Dresden, August 12, 1521, ABKG, Vol. 1, 182–184.

excommunication in secular matters. Not only in episcopal courts, but also among local authorities, the "misuse of excommunication" was to be immediately halted.[17] Additionally, Duke George attempted to curtail functions of the ecclesiastical court system to an unheard of degree. Every Albertine bailiff was ordered "to inform all priests under your purview that from now on they are not allowed to undertake, execute or order letters of excommunication in response to secular matters." With this, the duke struck the ecclesiastical jurisdiction in its most sensitive area. It was the priests' responsibility to publicly announce the summons, judgments, and excommunications issued by officials, thus making them operational. George exploited the fact that the lower clergy was much more vulnerable to his intervention than bishops and officials; he simply threatened to withhold the priests' income.[18]

Adding to this pressure were negotiations between bishops and princes that had not taken place for twenty years. Compared to the talks of 1498 and 1500, the bishops showed themselves to be significantly more approachable. Considering the explosive atmosphere in the territory, it seemed wise to be more careful about hasty excommunications that were so reviled by the laity. The three Saxon bishops accepted the demand and asked to be notified of specific cases. The governors of Naumburg even assigned their official to "further refrain from secular matters." This corresponded to the duke's fundamental requirement for the church to relinquish secular jurisdiction.[19] The bishops' concession was, of course, tactically motivated. It was the Evangelical movement and criticism of the clergy that forced the bishops to be cautious, much more so than Duke George's legal arguments. At this point, the sides were still far apart, as shown by the following negotiations with Halberstadt.

In 1439, the Wettins signed a contract on ecclesiastical jurisdiction with the Bishop of Halberstadt, whose small bishopric extended to the Thuringian districts of Freyburg and Sangerhausen.[20] Marking the progress achieved by

17 Letter from Dukes Johann the Younger and Friedrich the Younger to Cardinal Albrecht and the bishops of Meissen, Merseburg and Naumburg, Schellenberg, February 15, 1522, ibid., 272.

18 Duke Johann the Younger's notification to all officials [Sangerhausen, February 2, 1522], ibid., 263.—About withholding income as a disciplinary measure, see p. 111 f. and p. 317 f.

19 See Bishop Johann VII of Meissen's letter to Duke Johann the Younger and Duke Friedrich the Younger, Stolpen, February 16, 1522, ABKG, Vol. 1, 277; Bishop Adolf of Merseburg's letter to id., Merseburg, February 19, 1522, ibid., 277 f.; Letter from the Naumburg bishop, Philipp of Freising, to id., [Zeitz] February 20, 1522, ibid., 278; Cardinal Albrecht's letter to id., Halle, February 20, 1522, ibid., 278 f.

20 Contract of the Dukes Friedrich the Younger and Wilhelm with the bishop and cathedral chapter of Halberstadt, Eisleben, September 23, 1439, Müller, *Reichstagstheatrum*

the secular state since the fifteenth century, this agreement was no longer sufficient for Duke George's interests. Once again, at the heart of the problem was the demand by the ecclesiastical judge to have jurisdiction in secular cases. The old contract only allowed the secular judge to take over cases from the ecclesiastical forum by request and under the condition that those files be closed within six weeks.[21] Now George was pushing to have Halberstadt withdraw from all secular cases. A verdict by the University of Leipzig's law faculty underscored the duke's position.[22] The negotiations began in September 1522 and continued with two meetings at Merseburg, on June 26 and again on December 22, 1523.[23] Cardinal Albrecht, Halberstadt's administrator, did not participate and left it to the Halberstadt cathedral chapter to defend the church's privileges. This proved to be especially difficult. Tough negotiations at the first meeting showed the weakness of Halberstadt's position.[24] At the second meeting, however, the cathedral chapter rejected compromise and insisted on wording from the old contract that recognized its *iurisdictio in causis prophanis*. This created turmoil and put an end to the negotiations with recriminations from both sides.[25] Reaching an agreement was now unthinkable. In 1529, the Halberstadt cathedral chapter sued Duke George before the Imperial Chamber Court for "deposed jurisdiction and possession."[26]

Pressured by the Reformation, George intensified his reform efforts, but he was unable to achieve a breakthrough. Nonetheless, the bishops' concessions of 1522 were a remarkable success for the duke's reform politics. It was absolutely

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Maximilian, Vol. 2, 69–72. See Wintruff, 10–20; Diestelkamp, "Geistliche Gerichtsbarkeit," 214–234.

21 See the Eisleben contract, 1439 (like n. 20), relevant here is the German transcript of the negotiations in 1522. See ABKG, Vol. 1, 525, n. 1.

22 See the advisory opinion by Dr. Simon Pistoris, ordinary, and that of Dr. Heinrich Scheibe, senior at the University of Leipzig law faculty [2nd half of 1522], loc. 7418/4, Vol. 35–39, edited in passages: ABKG, Vol. 1, 571, n. 1.

23 The negotiations began in September 1522 and are well documented. See Duke George's letter to Cardinal Albrecht, Leipzig, September 1, 1522, ibid., 349 f. Along with the following quoted fragments, see loc. 7418/4, Vol. 8–50; loc. 8937/9, fol. 19–27, 47–51; ABKG, Vol. 1, passim.

24 See the report from Dr. Georg von Breitenbach on the first meeting at Merseburg on June 26, 1523, Leipzig, June 28, 1523, loc. 7418/4, Vol. 10–15, partially edited: ABKG, Vol. 1, 522–532.

25 See the report by Cäsar Pflug and Dr. Georg von Breitenbachs about the second meeting at Merseburg on December 22, 1523, loc. 7418/4, Vol. 46–49; See also Cäsar Pflug's letter to Duke George, December 26, 1523, ABKG, Vol. 1, 592 f.

26 See Diestelkamp, "Geistliche Gerichtsbarkeit," 233.

clear, however, that despite the reform rhetoric, George was not willing to end the system altogether. In comments to Philipp of Hesse, he stressed the ancient origins of ecclesiastical jurisdiction.[27] This was also acknowledged in the duke's day-to-day politics by his adherence to the *Privilegium fori* when taking action against Evangelical priests. In fact, he saw the ecclesiastical courts as indispensable partners in the struggle against the Reformation. For this reason, he reacted sharply in 1523 to the Bohemian King's ban on ecclesiastical summonses in Lusatia. Duke George warned that eliminating ecclesiastical justice would "greatly weaken the Christian faith" and subsequently "give tremendous strength to Luther and his followers."[28]

3 Success and Limits of Catholic Reform in Saxony

Duke George responded to the challenge of the Reformation with new impetus toward Catholic reform, but without a new concept. Presented as an alternative to Luther by court chaplain Emser, the "new serious reformation" (*nawe ernstliche reformation*)[29] of the church was an intensified continuation of pre-Reformation politics. This applied to its content as well as goals and strategies. Catholic reform in Saxony was based on a renewed enforcement of ecclesiastical discipline among the clergy and the laity. With the power of the territorial state, the church's authority was to be restored, if not replaced. Traditional ideas of *reformatio* were combined with the duke's church governance in innovative and promising ways.[30] While Duke George claimed to achieve a balance between "reform of the estates of the clergy and the laity,"[31] he also advocated a

27 "The reason why I honor the idea of ecclesiastical jurisdiction is because I know that I am also obliged to protect the Jews and heathens. Since the clergy cannot be considered less than the Jews and heathens, it stands to reason that I must protect and manage them in everything that is based on old customs and has not yet been proven to be wrong. I hope that I please God in doing so—it doesn't matter whether or not it pleases the Lutherans." Duke George's letter to Landgrave Philipp [Dresden, February 27, 1525], ABKG, Vol. 2, 52–57.

28 Duke George's letter to King Ludwig II of Hungary and Bohemia, Dresden, February 19, 1523, ibid., 467 f. more extensively, see also 250.

29 Hieronymus Emser, *Wider das vnchristenliche buch Martini Luters Augustiners an den Tewtschen adel außgangen* (1521), Enders, *Luther und Emser*, Vol. 1, 1–143, here 17 f.

30 See also in more detail ch. 14, section 2.

31 Duke George's draft of an answer to the estates [Augsburg, August 5–27, 1518], ABKG, Vol. 1, 41–43.

direct connection between church reform and anti-Lutheran sanctions in daily politics: punishment and admonishment were two sides of the same coin.

Confronted by the momentum of the Evangelical movement, Duke George intensified the pressure to reform in many areas. By stressing the gravity of the situation, he took severe measures against those who broke related laws. This included lifestyle and pastoral work by the lower clergy. His sharpest weapon was the threat to parish priests of having their income withheld. The drama of the situation is reflected in George's proposal to the curia in early 1523 in which he requested papal privilege to execute disciplinary authority over the lower clergy by his secular government. This measure would have expressly allowed prosecution of Lutheran priests and enforcement of reform over Catholic clergymen. George sought to use the threat posed by the Reformation as a chance to expand his church governance and thereby strengthen the power of Catholic resistance.[32]

There were actually some new reform concepts at play. In light of the impression made by the Lutheran Bible and the laity's demand for the Gospels, Duke George commissioned the creation and distribution of a competing Catholic Bible edition. As Erasmus of Rotterdam had recommended in his *Enchiridion militis Christiani*, the duke saw teaching the Bible to the laity as a way to salvation—as long as it was in line with interpretations by the church fathers. This controversial decision to assume responsibility for the salvation of his subjects and override the concerns of the clergy said much about George's princely self-confidence.[33]

In addition to actions taken within the territory, Duke George attempted to use the imperial diets to communicate and amplify this message. As early as 1518, when the Fifth Lateran Council ended without a way forward for his many submitted initiatives, the duke made plans to achieve church reform through a new council. The Diet of Augsburg, however, did not give its support. George was one of the first to call for a general council, followed by many others throughout the empire in subsequent years. However, his focus was always on matters of reform and never questions of faith.[34] The Saxon prince kept working toward a general council for most of his life with increasing doggedness, as

32 See ch. 19.

33 See p. 573–583. For the pre-Reformation discussion about the Bible in the vernacular, see Schreiner, "Laienbildung"; Signori, 20–22 (with further literature); About Erasmus's position, see Desiderius Erasmus, *Enchiridion militis christiani* (1503), Welzig, Vol. 1, 56–375, here 74–100.

34 See Brockmann.

can be seen in instructions for Imperial Diets as well as in diplomatic correspondence with the curia.[35]

The 1521 Diet of Worms did show that, at the imperial level, George was increasingly sitting between two stools with his church politics. When his submission to the gravamina called again for a council, he alarmed the papal nuncio Aleander, who suspected heresy behind every criticism of Rome. On the other hand, George was one of the few princes to unanimously approve the papal conviction of Luther. With the Causa Lutheri occupying the politics of both curia and imperial estates, there was little hope of discussing plans for Catholic reform. Thus, Duke George's concept of "reform instead of Reformation" was a lost cause.[36]

This shows the limits of Catholic reform in Albertine Saxony during the early years of the Reformation. As before, the duke remained true to his conviction that only the pope or a general council was permitted to alter the structure of the church. This set clear limits for any reform efforts. In 1537, he commented in retrospect, "If I could have found in the Word of God, or based in the Holy Gospels, or in the decrees of the Holy See or even in orders from his imperial majesty, that I should have authority over the clergy and the constitution of the church, then I would have eliminated all the abuses that I found to be unjust long ago."[37]

This is why secular politics could only contribute, but never substitute a reform from within the church. George's reform program was limited to enforcing discipline in the clergy and the laity, while promoting the ideas of Catholic reform. In every respect, it was up to date with the reform discussions of the times,[38] but by its approach, the program was unable to achieve a renewal of the church on its own. This was the reason to call for a general council, to submit the gravamina and to plea for papal reform privileges. But support from Rome was lacking, and hopeful signals were rare. One of them was the so-called confession of Hadrian VI, which identified the head of the

35 After calls for a general council at the Diets of Augsburg and Worms in 1518 and 1521, (see ch. 7, section 2) George demanded in his instructions for the first Diet of Nuremberg in 1522 that the council should not only address Catholic reform, but also Lutheran heresy, "because God's mercy has given the German nation a German pope." George's instructions, March 1522 (like n. 8). Further calls for a council are found in the instructions for the Diets of Augsburg (1525) and Speyer (1526) as well as in George's statements at the Diet of Augsburg (1530). See George's instructions, 1525 (like n. 1) Cardauns, 105.—About George's efforts in the 1530s, see Cardauns; Gess, *Klostervisitationen*, 23–26.

36 See ch. 7, section 2, and p. 475–478.

37 Duke George's letter to Duke Heinrich, May 23, 1537, ABKG, ms. Werl, no. 3661.

38 See also ch. 25.

church as the source of abuses and called for reform of the curia based on the principle *Purga Romam, purgatur mundus*.[39] However, this was fleeting. Even as the Reformation gained momentum, the popes denied Duke George's pleas for special authority to fight it. Clearly, the Age of Conciliarism was long gone, and Rome was no longer prepared to concede control over local churches to secular powers.[40]

Despite these setbacks and the pressure of the Reformation, George continued to strictly refrain from unilaterally intervening in ecclesiastical governance. When at the first Diet of Speyer the Evangelical estates proposed a temporary church order to deal with abuses prior to a council, Ernestines also sent to Dresden to sound out possibilities for a joint Wettin initiative similar to earlier common law codes. In discussing those plans with Ernestine envoy Hans von der Planitz, however, Duke George categorically rejected any unilateral solution by single territories. When misdeeds by the priesthood were mentioned, he asserted, "The tree should not be torn out by the roots." Planitz then suggested that the elector, the duke and their advisors could themselves formulate rules for the church that would conform to the Word of God. This sent the duke into a rage: "He spoke angrily," Planitz reported; "indeed, as if you and I understand and know well what might and might not be appropriate to the Gospel!" Despite all efforts, George still saw himself as a Catholic layman. For him, territorial church governance was an instrument for maintaining order and not the basis for building a new church. Thus, his final statement to Planitz that evening was very conservative: "One cannot make better rules than those that have come before."[41]

Was it at all possible for Duke George's Catholic reform to present an alternative to the Reformation? Most certainly, it was unable to compete with Luther's new theology and the religious awakening that was born from it. The duke's likely allies were those that found Lutheran teachings too radical and those who had not yet completely lost their trust in the pope. With his enthusiasm for Catholic reform, George tried to give them hope that the old church was capable of renewal. It should be kept in mind that Duke George's reform politics never attempted to offer a comprehensive solution. Using the metaphors

39 See Pope Hadrian VI's instructions to nuncio Francesco Chieregati at the second Diet of Nuremburg. [Rome, September 1522], RTA, JR, Vol. 3, 390–399. Duke George received a copy of the message from his representative to the diet. See Dr. Dietrich von Werthern's letter to Duke George, Nuremberg, January 12, 1523, ABKG, Vol. 1, 429–434.

40 See ch. 6, section 5.

41 Hans von der Planitz's letter to Duke Johann Friedrich, Grimma, July 21, 1526, ABKG, Vol. 2, 588–590.

of medieval discourse from the days of conciliarism that George knew so well,[42] one could put it like this: The Body of Christ, the church, was deathly ill, and the only remedy was a *Reformatio in capite et membris*. The doctor called in on the case was the pope. With God's mercy, only he could administer the cure that would heal the church. Duke George, on the other hand, was not a doctor but rather a nurse attending to the body of the church. His medicine could not heal but only ease the symptoms. The duke's church reform was intended to stabilize the patient until the doctor arrived. In his eyes, this was far better than Luther's quackery, which threatened to poison the patient with a potion from the devil. It was also much more modest. George had never hoped to cure. Instead, he consciously limited himself to nursing, while calling on the pope and a general council for true healing.

42 See Wolgast, "Reform," 322. About Duke George's familiarity with these metaphors, see Gess, *Klostervisitationen*, 22.

CHAPTER 25

Church Politics against the Reformation: Successes, Limits, Perspectives

1 George's Fight against the Reformation: A Success Story?

Duke George's politics against the early Reformation employed three strategies: sanctions, propaganda and Catholic reform. Authoritative sanctions were directed against the leaders of the Evangelical movement. Using the power of territorial church governance, George took forceful action against Lutheran clergy and laity to suppress the heretical movement in his land. The duke's propaganda politics were driven by a sharpened awareness of the Reformation public and the effectiveness of the mass media of the times. Duke George recognized the crucial significance of both pamphlets and preaching as people chose between Luther and the traditional church. In the struggle to win the hearts and minds of the public, he combined Catholic propaganda in pamphlets and sermons with censorship directed against the production, sale and possession of Lutheran books.

The third counter-strategy was an intensification of Catholic reform. George wanted to offer people a moderate alternative to Luther's radical revolution. With reform measures within his own territory and diplomatic initiatives in the Empire and at the curia, the Albertine supported a renewal of the old church. This was intended to prevent his subjects from taking the false path to heresy. The close cooperation between the prince and the Saxon bishops must be emphasized. The duke's anti-Reformation program is reflected *in nuce* by the episcopal visitations initiated by George in 1522 and 1524 that brought together the prosecution of heretics, reform, and a Catholic preaching campaign.

A quick look across the Empire during those years reveals the exceptional position of Albertine church politics. George experienced this at the Diet of Worms in 1521, where he proposed his program of "reform instead of Reformation," only to find himself completely isolated. Only a few princes had declared themselves opponents of Luther at that early stage, but most of them, such as Joachim of Brandenburg, limited their politics to prosecution.[1]

1 See Rudersdorf/Schindling, 39 f.; Winterhager, "Kurbrandenburg."

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Duke George's comprehensive program of countermeasures stood out from the general picture. It proposed a practical solution to what others only described as a vision. In 1524, for example, the Frankfurt dean Johannes Cochlaeus wrote a reform proposal for Pope Clement VII. According to Cochlaeus, secular princes should take up the fight against heresy, while the bishops should carry out reform of the clergy. By engaging unimpeachable Catholic preachers, he hoped to better instruct the faithful in traditional beliefs. He also addressed the public controversy within the Empire, demanding strong censorship, support for controversial Catholic theology, and the dissemination of the catechism and devotional books in the vernacular. This was all intended to create a positive image of traditional doctrine.[2] While at this point Duke George was certainly not aware of the report written by his future court chaplain, Dresden's church politics of the early 1520s fulfilled much of Cochlaeus's ideals.

One of the few examples to compare Duke George's politics to is the politics of Bavaria. This is important, as the Wittelsbachs are often considered the most successful Catholic partisans in the Empire. While the Bavarian dukes assumed an anti-Lutheran position only after the Edict of Worms,[3] there were astounding parallels between the politics of Munich and Dresden between 1521 and 1525. Bavarian measures against the Evangelical movement also began in early 1522 and the approach was identical. From the very beginning, both territories combined sanctions with initiatives for Catholic reform.

The parallels are remarkable. In February 1522, when the Wittelsbachs were negotiating reforms with Bavarian bishops, Duke George was confronting the bishops in Saxony and Thuringia with a reform concept for ecclesiastical jurisdiction. The stipulations of the Bavarian religion mandate of March 5, 1522 correspond in detail to those in George's February mandate. Likewise, the Bavarian provisions were much stricter than the Regency Council's mandate, which was criticized by the Bavarian advisor Leonard von Eck as "too leniently formulated."[4] Finally, in the same year, both Johannes Eck and Bishop Johann VII appealed—with varying success—to Pope Hadrian VI for special privileges for their employers to encourage church reform and fight heresy.[5]

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2 See Bäumer, 26 f., 121. In 1523, Cochlaeus was also appointed by Hadrian VI to a reform commission at the curia to develop proposals for the renewal of the church in the empire.

3 See Kohnle, *Reichstag*, 137 f.

4 Quoted from Kohnle, *Reichstag*, 143.

5 About Bavaria's religion politics, see Lutz/Ziegler, 337–351; Pfeilschifter, Vol. 1, here 1–5; Wolgast, "Territorialfürsten," 420–423; Kohnle, *Reichstag*, 137–147; Rössler, 8 f.; as a source

A high point of anti-Lutheran politics in Bavaria was the final document issued by the Regensburg convention of July 6, 1524, which was attended by bishops from Austria, Bavaria and Southern Germany. As advocated by the Bavarian dukes, the document treated the Evangelical movement and the reform question as two sides of the same coin.[6] The agreement, seen as an implementation plan for the Edict of Worms and the provisions of the Diet of Nuremberg, showed unmistakable similarities to the programs of Duke George's church politics. This included sanctions against the laymen's chalice, the breaking of fasting rules, marriage by priests, running away from monasteries, attending the University of Wittenberg and the proliferation of Luther's writings. Additionally, there was support for Catholic preaching, a comprehensive set of reform measures for the lower clergy and a reaffirmation of religious ceremonies. The execution of these provisions by the Bavarian dukes' secular officials was also comparable to George's church governance, as was the standard punishment of exile for intransigent Lutherans.[7]

It is noteworthy that the princes in attendance at Regensburg had attempted to include Duke George in their alliance. While George did not join, he used the Bavarian initiative for his propaganda. Within the same year, two printings of the Regensburg Agreement were released by the Emser Press. They were probably based on a transcript sent to Dresden by George's representative to the Regency Council, Thomas von der Hayden.[8] The accompanying text by Emser reveals the motivation: Duke George wanted to make the point that he did not stand alone in the struggle against the Reformation.[9]

The Bavarian example shows that reform instead of Reformation was a promising concept. With the combination of authoritative sanctions, Catholic reform, and anti-Lutheran propaganda, the Bavarian dukes and Duke George were the only imperial princes who had proposed a comprehensive answer

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edition: Pfeilschifter, Vol. 1; Kopfmann.—About Hadrian's papal privileges for Bavaria, see p. 175.

6 See Pfeilschifter, Vol. 1, 294–297; Lutz/Ziegler, 347 f. For an overview, see also Friedensburg, "Regensburger Convent."

7 See Regensburger Einung, Regensburg, July 6, 1524, Pfeilschifter, Vol. 1, 329–334; Regensburger Reformordnung, Regensburg, July 7, 1524, ibid., 334–344.

8 See Thomas von der Hayden's letter to Duke George, Esslingen, August 14, 1524, ABKG, Vol. 1, 723–726.

9 "Because many are of another opinion [than Luther] / as is revealed by this alliance." *Aynung und vorbundnis etzlicher großmechtigen fursten* [...], [Dresden: Emserpresse 1524]. (VD 16 ZV 5045), here fol. B Ir. The second printing as a part of the pamphlet *Hierin findest du das kaiserlich mandat zu Nurenberg* [...], [Dresden: Emserpresse 1524]. (VD 16 D 1042). About both printings, see Aurich, 48–51 and see p. 580.

during the early years of the Reformation. In both territories, the stipulations of imperial law provided only a general framework. There had not been collaboration between the princes, but there were certainly parallels, including well-established church governance, intensive diplomatic contacts with the curia, and the Catholic faith of the princes themselves. Together, Bavaria and Albertine Saxony set the high mark for anti-Lutheran territorial politics during the early Reformation.

2 Albertine Saxony in 1525: An Open Future

Based on his pre-Reformation church governance, Duke George was able to develop a comprehensive strategy for church politics against the Reformation. It included exactly the approaches that Luther's opponents throughout the Empire hoped would lead to victory. A kind of preliminary counter-Reformation had begun right on Luther's doorstep that attempted to regain some lost ground. This could be seen in the example of Műhlhausen and the attempts at visitations in Meissen and Merseburg. The primary goal, however, had always been to secure Albertine Saxony for the Catholic faith.

When viewed from the year 1525, the end point of this study, Duke George's anti-Reformation politics appear to have been quite successful. With the Peasants' War, the Reformation suffered a bitter setback. The Evangelical movement was thrown on the defensive—not only at the heart of war-torn Thuringia, but everywhere in the Albertine territory. The storm of the early years blew over without the Reformation making substantial progress within the duke's lands. George's steadfast actions against Lutheran preaching clearly slowed the Reformation's momentum in Leipzig, its early stronghold. With the suppression of the Rumpfer conspiracy in 1525, Lutheran hopes to win over the territory's most important city were lost for a long time.[10]

Here, as in other locations, the Lutherans had to admit defeat in the public dispute and retreat into private houses. Secretly held sermons, small unofficial religious services and private readings of Lutheran writings kept the new teachings alive, but Evangelicals no longer had a strong presence on the streets and in public squares and had to go underground as a religious minority and hope for better times. In terms of the sociology of religion, Lutherans had forfeited most of their influence as a church within society, were reduced to

10 See ch. 16, section 1, ch. 21, section 1, and ch. 22, section 1.

the role of a sect and had to resort to isolation in order to survive,[11] meaning that the Catholic character of Albertine society was secure for the time being. Leipzig's Lutherans did not regain their self-confidence until the 1530s, when skillful Evangelical preachers from nearby Ernestine villages began to spread the new doctrine once again.[12]

Duke George was confident in his success against the Reformation. In 1529, he wrote in a narrative of a religion mandate that because of his anti-Reformation politics and "through [...] God's blessings, it has been rather calm here in our principality for some time."[13] His observation corresponded with that of Gűnther Wartenberg, who noted a revival of Evangelical activities in Albertine Saxony only after 1532, when Lutheranism had consolidated its position in the neighboring electorate.[14]

By asserting his territorial church governance, Duke George had broken the momentum of the early Reformation in his principality. Luther's followers were exiled or had to go underground. However, it was not only oppression that hindered the Reformation; determined reform politics and modern propaganda served to strengthen the Catholic position. Even during the Reformation's stormiest years, events such as the canonization of Benno of Meissen showed that the traditional church still found support at all levels of the population—the nobility, city dwellers and country folk alike.[15] Together, these two factors not only ensured the survival of the old church in Albertine Saxony, they also opened up opportunities for the future. Despite its exposure to Electoral Saxony, George's church politics were successful in suppressing the Reformation in Albertine territory and in creating a front line of Catholic loyalty to Rome.

But isn't Catholic dominance too optimistically portrayed here? Why make such an effort to evaluate the survival of the old church in Saxony in 1525 when the year 1539 was much more significant? Not only the Lutheran opposition in the 1530s, but also the quick success of the Reformation after Duke George's

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11 About the typology of churches and sects in the sociology of religion, see Troeltsch, 360–375; Bainbridge; Stark/Bainbridge. Here, I differ with Troeltsch, who claims that Lutheranism could not fit the role of a sect, while giving only a theological reason but not a sociological one. See Troeltsch, 482.

12 See Wartenberg, *Landesherrschaft*, 33–37; Hoyer/Schwarz, 99, 114–116.

13 Duke George's printed mandate, Dresden, October 29, 1529, loc. 14954, mandate collection, fascicle "1529."

14 See Wartenberg, *Landesherrschaft*, 60.

15 See Volkmar, *Heiligenerhebung Bennos*; see also Wartenberg, *Landesherrschaft*, 62 f.; id., "Luthers Beziehungen,"563.

death has been considered proof by generations of historians that George led a "lost war against a historically imperative restructuring."[16]

Today, however, one must make a more cautious judgment, taking into consideration the regained strength of Lutherans in the 1530s as well as the increasingly difficult circumstances for the old church throughout the Empire.[17] Further research will profit from the recently published volumes of the *Akten und Briefe zur Kirchenpolitik Herzog Georgs*, which cover Duke George's later years 1528–1539.[18]

Nonetheless, there is one fact that should be well established. In early 1539, there was not a Protestant revolution from below, but rather a princely Reformation from above. In the end, the sudden victory of the Lutherans was not due to the failure of suppressive politics, but simply to the takeover of territorial governance by an Evangelical prince. With broad support, and despite considerable resistance, Heinrich the Pious helped push through the Reformation with the same levers of territorial power that his elder brother had used to oppose it for decades.[19]

In 1525, however, such a dynastic transition could not have been foreseen. All signs pointed to a continuation of Duke George's church politics for a long time to come. Two grown sons were ready for succession, Johann the Younger (1498–1537) and Friedrich the Younger (1504–1539). Therefore, an Evangelical successor to the Albertine throne seemed as unlikely as the line of Ernestine Electors dying out.[20]

Johann, who had been married to Elisabeth of Hesse since 1515, was the son that Duke George had prepared to be his heir. He first gained political experience in Marburg from 1516 to 1517 and accompanied his father to the Diet of Worms in 1521.[21] In the following years, George frequently appointed Johann to be a governor or representative; for instance, as supervisor of armaments in

16 Flathe, 687.

17 See Rabe, 302–344; Ziegler, "Territorium und Reformation II."

18 This work was completed in 2012, after this study was concluded. See ABKG.

19 See Wartenberg, *Landesherrschaft*, 94–103; id., "Entstehung"; id., "Theologische Fakultät"; Brandenburg; Clemen, "Einführung"; Bünz/Volkmar, "Albertinische Herzöge," 85–89.

20 In 1525, after the death of Friedrich the Wise with no heirs, this fell to Elector Johann the Elder and his two sons, Johann Friedrich and Johann Ernst. It is worth considering that at this point Heinrich the Pious still followed an anti-Reformation course like his brother George.—About the significance of dynastic fortune to politics during the Reformation, see Schubert, "Fürstenreformation," 33–35; generally: Weber, "Dynastiesicherung"; in the case of the Wettins: Rogge, *Herrschaftsweitergabe*.

21 See p. 502–504 and see ABKG, Vol. 1, 146, n. 2.

Dresden during the Peasants' War.[22] In questions of church politics, the young prince took action in accordance with his father. In Wittenberg, therefore, no one expected a change of course with Johann as successor. If anything, things were to get worse. Luther himself claimed that Johann had announced that "if his father was an adversary of iron, then he would be one of steel."[23] Even Johann's wife Elisabeth, who leaned toward Lutheranism, confided to her relatives that in questions of religion, her husband pressured her even more than Duke George did.[24] After Johann's sudden death without heirs in 1537, a continuation of the duke's church politics nonetheless still seemed possible. Contrary to rumors spread by Heinrich the Pious with transparent intentions (and which historians later passed along without substantiation), Friedrich the Younger, although sickly, was not feeble-minded.[25]

Therefore, by characterizing the Reformation in Albertine Saxony as inevitable, historians might have underestimated the complexity and openness of the historical situation. In 1525, at any rate, it was not unlikely that developments in Albertine Saxony might have turned out like those in Bavaria or Austria. There, the Evangelicals had reached high points, but ultimate success had eluded them. When considering the parallels of both Bavarian and Albertine politics against the early Reformation,[26] one can conclude that their common approach did have a promising future, if not, ultimately, in Saxony. In light of the early Reformation's much greater strength in Albertine Saxony compared to Bavaria, Duke George's successes were indeed impressive.

On the other hand, the Bavarian example also shows that a single success in containing the Evangelical movement was no guarantee for the future. The Evangelicals only reached the high mark of their influence in Bavaria in the

22 See instructions for Duke Johann the Younger and several advisors for the Diet of Leipzig, Dresden, June 11, 1523, ibid., Vol. 1, 516–518; Duke Johann the Younger's letter to Duke George, Dresden, May 5, 1525, ibid., Vol. 2, 180–182.

23 Schulze, *Ehrenrettung*, 7. See also, "Tischrede Martin Luthers [1537]," WA Ti, Vol. 3, 380 (no. 3531).—About Johann's governing activities, see ABKG, passim.

24 See Duchess Elisabeth's letter to Elector Johann Friedrich, [Dresden] April 12, 1533, ABKG, ms. Werl, no. 2504.

25 Friedrich's role as governor and his participation at the Diet of Augsburg are evidence of his governing abilities. Above every doubt raised is the judgment of the Ernestine chancellor Brűck, who described Friedrich in 1537 as intelligent and marriageable, which meant that attempts to activate the fraternal right of succession were hopeless, "since I have noticed no signs of insanity from him." Dr. Gregor Brück's note to Elector Johann Friedrich, Wittenberg, April 19, 1537, ABKG, ms. Werl, no. 3617. See also ibid., no. 2028, n. 1 as well as Hoyer, "Georg II," 139–141.

26 On Bavaria, see Kohnle, *Reichstag*, 144.

second half of the century.[27] Similarly, the Lutherans experienced an upsurge in Saxony in the late 1530s. While this was a renewed challenge, it should not be seen as evidence of failure by earlier politics. Thus, the comparison with Bavaria ultimately shows that George's politics were not actually doomed from the start. Neither the dynamics of the Reformation in the 1530s nor the misfortunes of dynastic succession, which left Duke George without an heir, was foreseeable in 1525.

27 See Lutz/Ziegler; Rössler.

Conclusion

Building upon the traditions of fifteenth-century Wettin politics, territorial church governance in Saxony reached a new level under Duke George. It assumed a leading position in the Empire, profiting from favorable structural conditions in Central Germany, especially the mediatization of the Saxon bishops.

The expansion of Duke George's church governance was not a revolutionary process, but rather a progressive shift of power in favor of secular government. In 1500 neither the pope nor a bishop was the most influential authority over the Saxon clergy; it was the secular state. Despite the lack of institutionalization and a certain ambiguity, the clergy could not ignore the exertion of influence, the competence in problem solving, and the assertiveness of the Duke of Saxony—whether good or bad. Not only did George demand obedience in the enforcement of Catholic reform and the acceptance of his authority, he also opened new opportunities for the clergy to pursue its own interests. This was why the leader of the Observance movement sought help from the prince. It is also why parish priests in Saxony requested support from Duke George for their material needs, instead of asking their parishioners or bishops. Because many of the clergy's problems touched both the church and the secular world, chances for success increased by appealing to an authority that held influence over both.

The duke's church governance was based on the power of the emerging early modern state. The governing practices of territorial rule dominated the implementation of church governance. In approach and methods, it differed little from other branches of the duke's politics. At the Dresden court, secular counselors from the lower nobility set the guidelines in church affairs. Officers of the prince's court, bailiffs, city councilmen, and advisors carried out the decisions of the ducal council. As a consequence, church governance transferred secular techniques of governance to the ecclesiastical sphere. The special status of the clerical estate was pared down, as clergymen were in many ways treated as territorial subjects.

This pattern can be identified everywhere. Ecclesiastical benefices were managed according to feudal law, and secular sanctions, such as arbitration, the withholding of pay or property, and sequestration, were introduced into church affairs. Ultimately, the intensity of Duke George's church governance made a statement about the effectiveness and power of the secular state in Saxony at the dawn of the modern era.

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Like his predecessors, George made efforts to secure papal privileges. However, by 1500 the old alliance between the papacy and German princes had lost its appeal. Among the Renaissance popes, the duke's bold requests fell upon deaf ears. The further development of church governance could only be achieved by infringements on canon law. Since George could not hope to abolish ecclesiastical jurisdiction, he developed ways of overriding it by creating acceptance for his influence in each individual case and using many canonical, secular, moral and religious patterns of legitimization that emphasized his "princely authority."

The modus operandi of pre-Reformation church governance was daily intervention; therefore, it cannot be studied in law texts but must be reconstructed from archival records. Territorial church politics dealt with a variety of ecclesiastical institutions, each of which existed within an individual legal framework. In 1500, one could not yet speak of a unified relationship between the duke and *the* church in his territory; nonetheless, Duke George aimed toward establishing unified relations with church and clergy in his principality, for instance, by protecting it from "foreign" ecclesiastical courts.

It is significant that Duke George did not see his intervention as simply a substitute for an incapable ecclesiastical hierarchy. Although he was familiar with the concept of the two kingdoms, his church governance was not based on the idea of a territorial lord serving as "emergency bishop," which Luther later embraced. Instead, George saw himself as an independent authority acting beside the bishops, regardless of how they went about fulfilling their duties. Legitimized by his duty to govern his principality, he occupied himself with the pastoral care of the lower clergy and the economy of monasteries. He also supervised ecclesiastical endowments, testaments, fraternities, the collection of alms, indulgence campaigns, processions, burials and pilgrimages.

The self-confidence with which the duke intervened in religious affairs and the acceptance he received by the local clergy may be seen as typical of the Middle Ages, an era marked by the interdependence of the spiritual and secular worlds. The relationship between the two spheres was always in flux and never in balance, and now the pendulum was swinging in favor of secular power. George's contemporaries barely questioned his advances upon the church, finding them far less contentious than would modern historians.

Even the bishops learned to live with territorial church governance. The failed attempt by Johann VI of Meissen to free himself from Wettin control became a testimony of its strength. All other office holders in the territorial bishoprics of Meissen and Merseburg fully accepted Duke George's claims of authority. Thus, Johann VII of Meissen deferred to the prince regarding

patronage disputes and the consolidation of benefices. In effect, he relinquished his authority to George as the "supreme collator" over all benefices in the territory and as one who treated the clergy as a feudal lord treats his vassals.

Likewise, when the parish priest at Rochlitz applied to Adolf of Merseburg for a leave of absence, the bishop requested a decision from the prince, despite Duke George having no formal prerogative over the priest. Here, the bishop appears to have had a subordinate role within the duke's church governance, even in matters such as the pastoral care of a congregation. With the question of power resolved, cooperation between George and the local church hierarchy was generally quite smooth. It was never George's goal to suppress the bishops' ecclesiastical authority so much as to integrate them as instruments of church discipline within his rule.

No characterization of Duke George's politics would be complete without taking into account the personal factor. Albertine church politics subsisted on the duke's genuine interest in Catholic reform. His early clerical training as well as his modern, humanist-like piety influenced his vision of reform just as much as the intensity of his church governance.

The significance of this personal factor is made clear in a direct comparison to George's cousin, Elector Friedrich the Wise. Despite similar structural preconditions, the elector's decidedly weaker church governance was characterized by his choice of a neutral stance during the critical years of the Reformation. This provided an opening for Duke George to make points in the Wettins' internal competition for prestige by securing the dynasty's interests in the archdiocese of Magdeburg.

Catholic reform was a personal interest for Duke George. Like many of his contemporaries, he hoped that a general council would achieve a breakthrough. He welcomed the opening of the Fifth Lateran Council and supported it with pamphlets and procurators, despite not having been invited to attend. At the Diet of Augsburg in 1518, George actually supported the papal request for a Turkish tax as a countermove to oblige the curia to summon a new reform council. However, his attempt to use the Empire as a vehicle to communicate his own church politics proved a failure. At Worms in 1521, the duke's call for reform was unable to find a majority of supporters among the imperial estates.

In his own principality, George did not need the Empire's consent. Concepts for reform, originating in conciliarism, the theology of piety and Christian humanism, were present on nearly every level of his church politics. Catholic reform in Saxony was original not in ideas, but in implementation, attempts to convert scholarly discussion into political reality. It is proof of the attractiveness

of late medieval approaches to reform, which lasted well into the era of the Reformation.

The first goal of Catholic reform in Saxony was the reestablishment of ecclesiastical norms. Whether it was monastic discipline, celibacy of priests or a ban on blasphemy, Duke George strove for universal enforcement of old and oft-neglected rules. This was *reformatio* in the medieval sense. The rules did not originate from secular authority but from ecclesiastical tradition. Therefore, the goal of the duke's reform was a renewal within the existing framework. Duke George's reluctance to take Luther's step toward overthrowing the system was evident in his selective reading of the ninety-five theses.

The methods of Duke George's reform politics were much more modern than their content. The power of the territorial state was employed to compel clergy and laity alike to follow the rules of the church. Paradoxically, George saw himself forced to countermand canon law wherever it might prohibit him from using his influence. In reaching its goals, the duke's reform expressed itself through supervision and sanctions. In its political implementation, it shook the foundations of ecclesiastical autonomy with a demand for secular disciplinary authority over the lower clergy, visitation rights over monasteries and limitations on ecclesiastical jurisdiction. For these structural changes, however, Duke George found no support from either the pope or the bishops; therefore, his church reform had to concentrate on daily interventions in individual cases. The "way of the ants," as Johannes Nider called it, became the road to success.

Duke George's church politics departed from the fifteenth-century traditions of the Wettins with a new set of priorities; for instance, backing the Observance was no longer a preference, although Friedrich the Wise still energetically gave it his support. At the top of George's agenda was the lower clergy's pastoral care of the population along with the piety and lifestyle of the laity. Certainly, expanding reform to include the laity was a modern element. Where earlier reform concepts had dealt with monasticism and the clergy, emancipating the laity showed that patriarchal princely governance could include the whole of society in the endeavor of church reform. The duke's assumption of responsibility for his subjects was derived from Nikolaus von Kues's claim that the true goal of social order was to open the way for every individual to find salvation. Obviously, this paved the way for early modern confessionalization and social disciplining.

Concentration on the laity focused on two aspects of the duke's approach to church reform. The top priority was to provide the population with church services, the sacrament and pastoral care; in short, the church was to function as an institution of salvation. This was in line with Duke George's efforts to

reform the clergy, his support for priests giving sermons, his criticism of excommunications and the abuse of parish prebends as benefices for other duties. Secondly, there was the piety and lifestyle of the laity itself, which George attempted to shepherd. Thereby, another individual characteristic of Duke George's came to the fore, his early experience as a trained cleric, which made him feel qualified to intervene in the sphere of ecclesiastical supervision in overstepping a bishop to order the theological evaluation of a pilgrimage.

Nonetheless, the prince sought cooperation with the bishops. Such collaboration offered the bishops the strength of the territorial state, but also put them under secular control. The bishop as an agent of church reform had always been the ideal of the Middle Ages, but was this compatible with the duke's dominant position? The Council of Trent would deny this and promote an autonomous self-renewal by the church under the direction of the pope. With the perspective of an elite layperson and the backing of the territorial state's power structure, Duke George's church reform represented a third way between the Tridentinum and the Reformation.

It remains difficult, however, to evaluate the success of his reform politics. George intensified pressure on the clergy to reform, and by acting on behalf of petitioners, he also provided the common man with an efficient tool to fight local abuses of pastoral care. The surviving archival records are a testimony to the stubbornness of the Saxon administration in hundreds of cases usually followed through to success. Fundamentally, however, as Dieter Stievermann has put it, the success of ducal interventions was less important than their role in presenting church reform as a matter for consideration by secular authority.[1]

Duke George's opposition to Martin Luther has been analyzed many times, but it appears in a new light when seen from the viewpoint of pre-Reformation church politics. The first realization is that the public feud between the prince and the reformer that started between 1522 and 1523 was inconsequential to George's church politics against the Reformation. Correspondingly, the second insight is that Duke George decided to oppose Luther much earlier than Luther himself was aware of (and with him, many historians). In the last weeks of 1519, long before the close of the papal heresy trial, Luther's sermon in support of the layman's chalice had already convinced the duke that the theologian from Wittenberg had adopted Hussite heresy. Directly afterwards, Albertine church politics began to work against Luther.

This early decision to act against Luther by the otherwise reform-oriented Albertine can be explained by an important feature of his church politics: the conflict with the Hussites. Long before the Reformation, Duke George had already led a public campaign against his Bohemian neighbors that was driven

1 See Stievermann, *Landesherrschaft*, 293 f.

by a very real fear of heresy spilling over into his own land. When Luther started to speak positively about the Czech reformer, the prince's opposition against him was irrevocable. As George's comments in 1519 indicate, he firmly believed that Luther had truly become a Hussite and that the Reformation was an attempt to introduce the teachings of Jan Hus into the Empire. Incidentally, this view was also held by Bohemian Catholics who collaborated with the duke in their common struggle against heresy. Therefore, Duke George's conflict with Luther was always much more than a personal dislike. It can neither be viewed as an internal Wettin competition, nor can it simply be traced back to the influence of George's Bohemian mother. It appears instead to have been a politically motivated defense mechanism that grew out of the duke's pre-Reformation church politics.

Those pre-Reformation church politics not only established a point of view, they also provided a strategy with which Duke George could confront the new threat. Defenses involved the interaction of three strategies: sanctions, propaganda and Catholic reform.

Using the power of his territorial church governance, Duke George vigorously went after Lutheran priests, monks and laymen in order to suppress the new teachings in his land, going so far as to enlist local officials in village communities to prosecute Evangelists. The religion mandate of January 20, 1522 played a crucial role by defining deviants with a set of easily recognizable external characteristics, giving local officials—particularly laymen—a profile with which to efficiently identify them. George only acknowledged imperial laws concerning Lutherans when they supported his position, and his absence from imperial diets during the 1520s (while motivated by questions of protocol) sent a clear message. Political action for or against the Reformation would be decided upon at the territorial and not the imperial level.

In his pursuit of Evangelical priests, George relied on already functioning mechanisms from pre-Reformation disciplinary measures against divergent clergy. Local bailiffs conducted surveillance and arrests, while ecclesiastical officials brought cases to trial. In 1523 the prince had already approached the pope with a request to completely assume disciplinary supervision of the clergy as "territorial prince and supreme collator"[2] in order to increase the enforcement capability of his church governance. Despite the curia's refusal to further reduce the power of the bishops, Duke George continued in this vein, especially in Thuringia, where he could not count on the loyal bishops of Meissen and Merseburg.

2 Duke George's letter to Bishop Johann VII of Meissen in Rome, Dresden, January 4, 1523, ABKG, Vol. 1, 421–425.

With regard to the laity, the duke took matters into his own hands from the start. Earlier research had not paid attention to the fact that repression by the duke was directed against laymen even during the early years. Not only was imprisonment used as a form of punishment, as experienced by many citizens of Dőbeln in 1521; from 1523 to 1524, George ordered Evangelical subjects to be exiled. Basing his opinion on the New Testament's references to punishment for heretics, the duke preferred exile to burning heretics at the stake, particularly because conferring this form of punishment was completely within his authority. Communities could be freed of the stain of heresy and its disseminators without having to wait for an ecclesiastical trial. Abstaining from execution at the stake was also politically shrewd, especially since Duke George viewed the battle against the Reformation as a struggle for the hearts and minds of his subjects. He wished to avoid providing stories of martyrdom for the opposition's propaganda.

The proven cooperation between the ducal court, local officials and ecclesiastical authorities lent a great deal of effectiveness to church governance against the Evangelical movement. Informed of the local situation by secular office holders as well as Catholic clergy and laity, Duke George used his levers of power to employ decisive measures. Even local rights of immunity could not withstand the prince's will to uphold the rules of the church. In this way, the fight against the Reformation strengthened the enforcement capabilities of the territorial state. George was by these means able to prevent a quick victory by the Evangelical movement in the large cities of Leipzig and Annaberg and to thwart all local efforts to introduce the Reformation. While Luther was able to find followers throughout the land, they were prevented from occupying public spaces.

Duke George clearly understood that success in fighting Luther could not be gained by authoritative force alone; it required a contest of beliefs. Because he was an advocate of reform, George never underestimated the political explosiveness of the Reformation's message. The prince, once a trained cleric, engaged himself personally as the author of pamphlets, and discussed matters of faith with Lutheran monks and laymen. George was able to build on his experience from the period before Luther's ascendance, when he had been involved in the printing of books in support of church politics. This resulted in more anti-Lutheran books being produced in Catholic Albertine Saxony than anywhere else in the Empire. Pamphlets and sermons were meant to immunize subjects against "Lutheran poison"[3] and keep them loyal to the traditional

3 See Duke George's letter to the Leipzig city council, Dresden, April 12, 1524, ABKG, Vol. 1, 648–650.

church. In Mühlhausen, the former stronghold of Thomas Müntzer, Duke George even attempted to conduct a "counter-Reformation" through a preaching campaign. These efforts were supplemented by censorship and rigorous action against Lutheran preachers to impede the spread of heresy through the mass media. No other prince in the Empire turned the weapons of the Reformation against it with such a force.

The third counter strategy was Catholic reform, which was intended to offer people an alternative to Luther's radical ways. The prince reacted to the challenge of the Reformation with new energy, but without a new concept for Catholic renewal. The nature of his reform politics was characterized by a "reformation of the ecclesiastical and secular estates";[4] in other words, an integrated reform of the clergy and the laity. The intensification of reform efforts was apparent within the lower clergy, where Duke George now applied stricter sanctions. He also supported the reactivation of episcopal visitation as an instrument of supervision against Lutheran activities. This was another modern instrument which would soon prove essential to the renewal of the church by both confessions. Even in dynastic politics, a shift in thinking could be observed regarding the treatment of high benefices.

George also tied his prosecution of Evangelical laymen to positive counteroffers; for instance, a mandate promised all subjects "that the Holy Gospel and the Word of God would be preached to the populace."[5] Likewise, after the prohibition of the September Testament, Hieronymus Emser published a modified Catholic edition of Luther's translation that George expressly urged his subjects to read for their salvation. At least from Duke George's point of view, the close link between persecution and reform was less a tactic than a factual necessity. This was because he believed that the common man's dissatisfaction with the clergy was one of the main causes of the Reformation. In addition, he saw a relationship between the moral decline of the clergy and laity and their receptiveness to Luther's teachings. Through reform, Duke George hoped to address the causes of the Reformation.

His Catholic beliefs, however, did set clear limits on his own reform politics. Any change in doctrine was left to the pope and a general council. Territorial church governance was a path to reform, but not the foundation for a new church order. In the language of reform rhetoric, he saw himself as a nurse to the body of the church—but not as its doctor.

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4 Duke George's draft of an answer to the imperial estates [Augsburg, August 5–27, 1518], ABKG, Vol. 1, 41–43.

5 Duke George's printed mandate [1524], loc. 10300/2, fol. 25v–26r.

Some questions posed at the beginning of this study have not been sufficiently addressed by the master narrative of the German Reformation; however, this case study of Duke George of Saxony has revealed a number of new perspectives, which primarily apply to the role of the territorial state during the Reformation. The example set by George confirms the significance of territorial politics on the success of the Reformation, albeit from an unexpected angle. Clearly, his church governance was not an invention of the Reformation, but rather a reality of the late Middle Ages. In particular, the Albertine example shows that German princes did not only act as important supporters of the Reformation, but were also able to use their power against it just as effectively. Despite the proximity to Wittenberg, Duke George was able to employ his territorial church governance to break the momentum of the early Reformation and to force Luther's followers into exile or underground.

Furthermore, the motives of Friedrich the Wise appear in stronger light against the backdrop of his Dresden relative. George's appeals to his cousin to employ church governance to regain control of events suggest that the early Reformation profited less from the elector's support than from the absence of secular interventions. The temporal suspension of territorial church governance in Ernestine Saxony was perhaps the most important contribution the "wise elector" made to the Reformation, since it provided an opportunity for the Evangelical movement to develop and test its vision for the church.

Clearly, it was not Luther's idea of the "emergency bishop" that first gave secular rulers influence over the church; rather, church governance had been a reality in the larger territories long before Luther's ascent. Further research should assess its strength in different German territories. The example set by Duke George impressively shows that it was an instrument available not just to Lutheran princes. At the same time, George's full-fledged church governance signified a phase of transition. It appears very modern from a medieval perspective, but somewhat self-restricted when compared to Protestant state churches of the early modern period. Most importantly, it shows that the relationship between princes and the Reformation was never a one-way street. Keeping this in mind, historical narratives should resist the temptation to simply construct causalities from structural parallels, and rather try to tell the whole story.

Looking back at the modern identity of Saxony as the homeland of the Reformation, one question remains: Did Duke George's church politics open a real alternative to the Reformation in Saxony? Without a doubt, the duke was never able to compete with the explosiveness of Luther's teachings of a new relationship between God and mankind. George wanted a reform of the church in the medieval sense of restoration and had absolutely no sympathy

for Luther's reform of the faith. The duke's goals were less innovative than his methods—using as he did the territorial state to promote Catholic renewal. Here, he met with the Reformation while diverging from the Council of Trent, thereby creating a third way.

Based on the credo of "reform instead of Reformation," however, this path created opportunities for the future. Not least, it corresponded to the successful church politics of the Bavarian dukes. Furthermore, it applied more than coercion in confronting the Reformation; decisive reform politics and modern propaganda reinforced the Catholic position. In the middle of the Reformation's stormiest years, events such as the controversial but well-attended canonization of Benno of Meissen bore testimony to the fact that, even in Saxony, the Catholic Church still had followers at all levels of society. Acceptance of Duke George's reform politics guaranteed the existence of the traditional church in Albertine Saxony. However, the duke also had to accept that the curia did not view the situation with equal urgency, and was therefore not prepared to support the Catholic outpost in Saxony in its efforts for renewal.

For a number of years, however, this method seemed to enjoy success. That the Evangelical movement was present in Albertine Saxony and that Duke George's large family left no Catholic heirs are historical facts; nevertheless, they do not amount to evidence of a political failure. 1539 did not see a Protestant revolution from below, but rather the manifestation of an assumption of territorial rule by an Evangelical prince introducing the Reformation from above.

But discussion should not dwell on the question as to exactly when Saxony was finally won over by the Reformation; instead, it should seek to discover the openness of the historical situation and the variety of possible outcomes. Even in the homeland of the Reformation, Luther was never the only voice. Contrary to suggestions by linear narratives, Catholic renewal did indeed begin in the vicinity of Wittenberg. In direct confrontation with Luther, Catholic protagonists in Saxony formulated answers to the challenge of the times quite similar to those found in other parts of Europe, which proved essential for the renewal and survival of the old church. In this regard, Saxony was not only the homeland of the Reformation, but actually, as Otto Vossler puts it, the "birthplace of the counter-Reformation" as we understand it today.

Despite the mutual enmity between Duke George and Martin Luther, Dresden's politics were more than a reactionary attempt to turn back the clock. As with the Reformation, Catholic reform was propagated by priests and laymen who strove for a renewal of the church and who were willing to attempt to win over the public in order to achieve their goal. If there is tragedy to be

found in George's church politics, it is not in their distance from Luther, nor in the lack of support from Rome. It was the excessive claims to truth made by both sides that limited the possibilities for cooperation and led to mutual charges of heresy, the tragedy of Europe's religious division. From today's perspective, however, Reformation and Catholic reform were two parts of a single religious awakening. Taking separate paths toward the common goal of a renewed Christianity, they shaped modern European society side by side.

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Members of the house of Wettin are mentioned in this study without the addition "of Saxony." Duke George's sons, the Dukes Johann and Friedrich, are given the appellation "the Younger" to set them apart from George's brother Duke Friedrich the Elder (High Master of the German Order) and from the Ernestine duke and elector, Johann the Elder (the Steadfast).

Abbreviations

A.S.V.	Archivio Segreto Vaticano
ABKG	Akten und Briefe zur Kirchenpolitik Herzog Georgs
ADB	Allgemeine Deutsche Biographie
ARG	Archiv für Reformationsgeschichte
B.A.V.	Bibliotheca Apostolica Vaticana
Bacc. theol.	Baccalaureus theologiae
B.M.V.	Beatae Mariae Virginis
CDS	Codex Diplomaticus Saxoniae (Regiae)
Cod.	Kodex
Cop.	Kopial
d.	Denarii
Dr.	Doctor
Dr. decr.	Doctor decretorum
Dr. theol.	Doctor theologiae
Dr. utr. iur.	Doctor utriusque iuris
duc.	Ducats
ed.	edited/editor
et al.	et alii
fl.	florins
fol.	Folio
gr.	Groschen
GW	Gesamtverzeichnis der Wiegendrucke
HRG	Handwörterbuch zur deutschen Rechtsgeschichte
HZ	Historische Zeitschrift

id.	idem
KLK	Katholisches Leben und Kirchenreform im Zeitalter der Glaubensspaltung
lb.	pound
LCI	Lexikon der christlichen Ikonographie
LexMA	Lexikon des Mittelalters
Lic. in decr.	Licenciatus in decretis
Loc.	Lokat
LThK³	Lexikon für Theologie und Kirche, 3rd edition
M.A.	Magister artium
Mag. theol.	Magister theologiae
Ms.	Manuscript
NASG	Neues Archiv für Sächsische Geschichte
ND	Neudruck
n.d.	not dated
NDB	Neue Deutsche Biographie
N.F.	Neue Folge
N.N.	Nomen nescio
n.p.	no place
Nr./No.	number
OFM	Ordinis Fratrum Minorum
QFIAB	Quellen und Forschungen aus italienischen Archiven und Bibliotheken
OP	Ordinis Praedicatorum
OT	Ordinis Theutonicorum
p.a.	per annum
Phil. Diss.	Philosophiae Dissertatio
PKMS	Politische Korrespondenz des Herzogs und Kurfürsten Moritz von Sachsen
Prof. theol.	Professor theologiae
RGG	Religion in Geschichte und Gegenwart
Rh. fl.	Rhenish florins
RQ	Römische Quartalschrift für christliche Altertumskunde und Kirchengeschichte
RST	Reformationsgeschichtliche Studien und Texte
RTA, JR	Reichstagsakten, Jüngere Reihe
SächsHStA	Sächsisches Hauptstaatsarchiv
ß	Schock
StA	Staatsarchiv
SVRG	Schriften des Vereins für Reformationsgeschichte

ThürHStA	Thüringisches Hauptstaatsarchiv
TRE	Theologische Realenzyklopädie
UB	Universitätsbibliothek
UBL	Universitätsbibliothek Leipzig
U.L.F.	Unser lieben Frauen (Beatae Mariae Virginis)
unpag.	unpaginated
VD 16	Verzeichnis der im deutschen Sprachbereich erschienenen Drucke des XVI. Jahrhunderts
VE 15	Verzeichnis der typographischen Einblattdrucke des 15. Jahrhunderts im Heiligen Römischen Reich Deutscher Nation
Vol.	Volume
WA	D. Martin Luthers Werke. Kritische Gesamtausgabe
WA Br	D. Martin Luthers Werke. Kritische Gesamtausgabe. Briefwechsel
WA Ti	D. Martin Luthers Werke. Kritische Gesamtausgabe. Tischreden
ZfG	Zeitschrift für Geschichtswissenschaft
ZHF	Zeitschrift für Historische Forschung
ZKG	Zeitschrift für Kirchengeschichte
ZRGKanAbt	Zeitschrift der Savigny-Stiftung für Rechtsgeschichte, Kanonistische Abteilung

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